



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.5815 of 2021

Karuppiah

... Petitioner

Vs.

1. The District Superintendent of Police,
District Police Office,
Pudukottai Town & District.

2. The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai District.

3. Murugesan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the 2nd respondent to provide adequate protection to the petitioner and his family members to put up fence around the Survey No.213/17 to the extent of 5 cents (2 Acres) and Survey No.213/18 to the extent of 2½ cents (1 Acre) situated at, Thirumalairayasamuthiram Villge, Kavinadu Keelavattam, Pudukottai (District) based on the representation dated 18.03.2021.

For Petitioners : Mr.V.Selvakumar

For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.Side)

ORDER

This petition is filed seeking a direction to the second respondent to provide Police protection to the petitioner and his family members and as well as the property mentioned in the petition, based upon the representation dated 18.03.2021.

2. The case of the petitioner is that on 18.03.2021, when the accused persons are putting up a fence around the petitioner's property situated in Pudukottai District, Thirumalairayasamuthiram Village, Kavinadu Keelavattam in Survey No.213/17, the third respondent with his brother Karuppiah unlawfully tried to enter the above said property and when the petitioner opposed and abstain the 3rd respondent and his brother, with criminal intention they tried to assault the petitioner and scolded with filthy words. Then he lodged a complaint to the first and second respondent son 18.03.2021, but, till now no action was taken to register FIR against the 3rd



respondent. During the pendency of the aforesaid complaint before the first and second respondents, on 25.03.2021 with the instigation of the 3rd respondent his wife Nallathangal tried to enter the said property and the same was opposed and obstructed by the petitioner's brother's wife. Even after the above said incident, the third respondent and his family members with the criminal intention tried to assault the petitioner and his family members and his sister also. Even after the said complaints, life threat is continuing to the petitioner and his family members. Hence, he filed this Criminal Original Petition.

3. According to the learned Public Prosecutor, the representation is on the part of a complaint against the third respondent herein and it is not properly prepared. Reading of the representation shows that he wants the second respondent to take action against the third respondent for his illegal activities. So, this cannot be considered as a representation for giving Police protection.

4. Recording the above submission made by the learned Public Prosecutor, the petitioner is directed to give fresh representation mentioning proper reasons and necessity for providing Police protection. If the same is sent, the same may be considered by the Authorities on merits and pass appropriate orders, by conducting proper enquiry.

5. With the above directions, this Criminal Original Petition stands disposed .

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

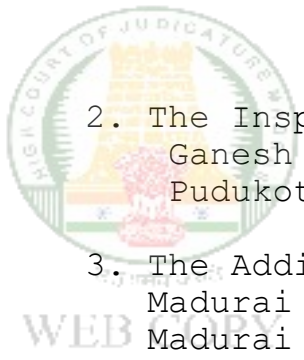
Sub Assistant Registrar(CS)

kmm

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Superintendent of Police,
District Police Office,
Pudukottai Town & District.



2. The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai District.
3. The Additional Public prosecutor,
Madurai Bench of Madras High Court,
Madurai

CrI.O.P. (MD) No.5815 of 2021
23.04.2021

KB(28.06.2021) 3P 4C