



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

Crl.O.P.(MD).No.6163 of 2021

WEB COPY

Saraswathi

... Petitioner

Vs.

1. The Superintendent of Police,
Theni District,
Theni..

2. The Inspector of Police,
Kombai Police Station,
Theni District.

3. Shanmugapriya

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code., to direct the second respondent herein to provide police protection to the petitioner's life and limb on the basis of the petitioner's representation dated 22.04.2021.

For Petitioner : Mr.S.Rameshbabu

For Respondents : Mr.K.Suyambuliga Bharathi,
1 and 2 Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed seeking a direction to the second respondent herein to provide police protection to the petitioner's life and limb on the basis of the petitioner's representation dated 22.04.2021.

2. The case of the petitioner is that she is having one son namely Anand and one daughter namely Shanmuga Priya / third respondent. The petitioner's husband is having some properties. The petitioner's husband is in possession and enjoyment of the above said properties. Meanwhile, the petitioner's husband died in the year of 2017. After the demise of the petitioner's husband, the petitioner is in possession and enjoyment of the same as on date. Meanwhile, the petitioner had arranged marriage between the third respondent with one Velmurugan in the year of 2000. At the time of marriage, the petitioner gave gold ornaments and other house hold articles to the third respondent. After their wedlock the third respondent is blessed two male children namely Aswanth and Abilesh. The third respondent's husband is working as a teacher. Due to some misunderstanding between the third respondent



and her husband they are living separately. Hence, the petitioner's husband had arranged for a house for the third respondent in her native place. The third respondent and one of the children Aswanth are staying in the above said address. The third respondent's another child namely Abilesh is staying with the third respondent's husband. The petitioner has been paying a sum of Rs.10,000/- to the third respondent every month, and the petitioner has been paying for all the necessary expenses to the third respondent and her son as on date.

3. Meanwhile, the third respondent had demanded the petitioner's jewels and properties. When the petitioner refused to part with the same, the third respondent had frequently tortured and threatened the petitioner to hand over all the jewels and the properties to the third respondent, otherwise she will do away her. Hence the petitioner made a complaint to the first and second respondents on 22.04.2021 and requested them to provide police protection to the petitioner's life and limb and to take necessary action against the third respondent through registered post. But the respondent 1 and 2 have not taken any action on the petitioner's complaint as on date. Hence, she has filed this petition.

4. The learned Public Prosecutor would submit that based upon the complaint given, enquiry was conducted and the petitioner appeared before the respondent police on 29.04.2021 and made a statement that she will workout her remedy before appropriate Court and she does not require any further action on the complaint, hence, the respondent police had to drop the enquiry and the same was closed.

5. It is seen from the petition, that it is a dispute between the mother and daughter. Since it is a family dispute, granting of Police protection does not arise. This Court finds no merit in this petition. This Criminal Original Petition stands dismissed accordingly.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 Superintendent of Police,
Theni District,
Theni..
2. The Inspector of Police,
Kombai Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.6163 of 2021

30.04.2021

CN(12.08.2021) 3P 4C