



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGOVAN**

Crl.O.P(MD)No.299 of 2019

Nagu

...Petitioner

Vs

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

2.The Inspector of Police,
Thirupachethi Police Station,
Sivagangai District.

3.Karuppiah

4.Rajendran

...Respondents

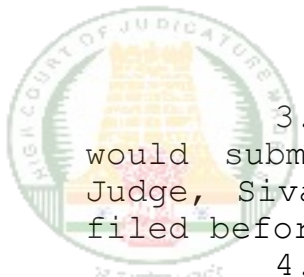
PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent to give police protection for life of the petitioner based on the complaint dated 20.11.2018 within the period stipulated by this Court.

For Petitioners	: Mr.C.R.Ponnuthai
For R1 & R2	: Mr.E.Antony Sahaya Prabakar Additional Public Prosecutor
For R3 & R4	: Mr.G.Gomathi Sankar

O R D E R

This Criminal Original Petition is filed seeking police protection on the basis of the representation dated 20.11.2018.

2.The case of the petitioner is that he purchased a property in S.F.No.165/2B from one Chinnatham Pillai and after that, he was in enjoyment. He also dug a Well in the aforesaid property and cultivating the same. The third and fourth respondents, who have no right over the property, trespassed into the property and damaged the motor. When the same was questioned by the petitioner, he was abused by them. So, suit in O.S.No.37 of 2012 was filed by the petitioner before the District Munsif Court, Sivagangai, seeking permanent injunction and the same was decreed in his favour against which, the private respondents have filed A.S.No.70 of 2014, which was dismissed. Even after dismissal of the above said appeal, the private respondents are making trouble. So, the petitioner filed a criminal complaint, in respect of which, criminal case has been registered. Moreover, he also sent a representation dated 20.11.2018, seeking police protection and the same was not considered by this Court. Hence, this petition.



3.The learned counsel appearing for the respondents 3 & 4 would submit that against the dismissal judgment of Subordinate Judge, Sivagangai, second appeal in S.A(MD)No.133 of 2019 has been filed before this Court and it is pending.

4.The learned Additional Public Prosecutor would submit that enquiry was undertaken on the basis of the representation made by the petitioner in C.P.No.98 of 2019 and during the course of enquiry, both the parties appeared and gave undertaking that they will work out their remedy in the above said civil proceedings and based on the above said undertaking given by both sides, it was closed on 25.04.2019 itself.

5.Since the complaint was closed based on the undertaking given by the parties and taking into consideration that it is civil dispute between them and also recording the closure of the complaint, this Criminal Original Petition is dismissed as infructuous.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Vrn

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,
Sivagangai District,Sivagangai.
- 2.The Inspector of Police,
Thirupachethi Police Station,Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+1 CC to M/s.C.R.PONNUTHAI, Advocate (SR-33656[F] dated 08/11/2021)

+1 CC to M/s.G.GOMATHI SANKAR, Advocate (SR-33831[F] dated 09/11/2021)

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MGJ/SKN(22.11.2021) 2P 6C

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