



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2021

CORAM:

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

Crl.O.P(MD)No.356 of 2019

WEB COPY

Janaki Ammal

Petitioner

Vs

State rep by

1.The Inspector of Police,
Central Zone,
Trichy.

2.The Commissioner of Police,
Trichy City,
Trichy.

3.The Inspector of Police,
Fort Police Station,
Trichy City.

4.Meenakshi Ammal

5.Arun Sekar

6.Sudhakar

Respondents

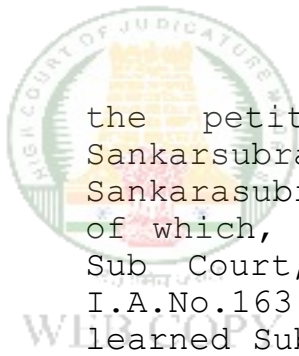
PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents 1 to 3 to give necessary police protection to the life and limb of the petitioner, her family members and the property on the basis of the petitioner's representation dated 28.12.2018.

For Petitioner	: Mr.A.Joel Paul Antony
For R1 to R3	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor
For R4 to R6	: Mr.C.Vakeeswaran

O R D E R

This Criminal Original Petition is filed seeking police protection on the basis of the representation dated 28.12.2018.

2.The case of the petitioner is that she is living in D.No.27, Mela Devathanam, Trichy on rental basis. The property was originally owned by one Srinivasa Konar, after the death of the said Srinivasa konar, the petitioner paid the rent to his legal heir, namely, Sankarasubramaniam. The said Sankarasubramaniam executed a power of Attorney to one Sambathkumar and Lakshmanan on 02.06.2018. There was sale agreement between the petitioner and Sambathkumar and



the petitioner also paid a sum of Rs.10,00,000/-. Later Sankarsubramaniam died. The legal heirs of the said Sankarasubramaniam refused to execute the sale deed and in respect of which, O.S.No.273 of 2018 was filed by Sambathkumar, before the Sub Court, Trichy against the respondents 3 to 5 herein and I.A.No.163 of 2018 was also filed and the same was allowed by the learned Sub Judge. On 14.12.2018, the private respondents along with other unknown persons threatened the petitioner. Hence, he made representation seeking police protection, which was not considered so far. Hence, this petition.

3.The learned Additional Public Prosecutor would submit that based upon the representation made by the petitioner, enquiry was undertaken in CP No.12 of 2019 and during the course of enquiry, it was found that it is civil dispute between the parties and in respect of which, suit is also pending. The petitioner gave undertaking that he will appear before the enquiry officer along with records, but later she did not turn up. Finally, she promised to appear before the enquiry officer on 04.01.2019 along with records. But, again she failed to attend. The fourth respondent herein appeared before the enquiry officer and gave a statement to the effect that it is civil dispute and in respect of which, suit is also pending and they will work out their remedy through the civil proceedings and accordingly, it was closed on 12.02.2019.

4.Since the complaint itself closed finding that it is civil dispute between the parties and due to non co-operation of the petitioner, granting police protection may not arise.

5.Recording the submission made by the learned Additional Public Prosecutor, this this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(Records)

// 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 Inspector of Police,
Central Zone,
Trichy.
- 2.The Commissioner of Police,
Trichy City,
Trichy.
- 3.The Inspector of Police,
Fort Police Station,
Trichy City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-33742[F] dated
09/11/2021)

Order made in
Crl.O.P(MD)No.356 of 2019
08.11.2021

vr (CO)
TR(18.11.2021) 3P 6C