



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.7441 of 2021

(Through Video Conference)

WEB COPY

S.Vellaichamy

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Puthiyamputhur Police Station,
Thoothukudi District.

3.Thangamariappan

4.Thangavel

5. Kanagaraj

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent herein to give adequate police protection to the petitioner's life and limb as well as the renovation by considering the petitioner's representation dated 10.05.2021.

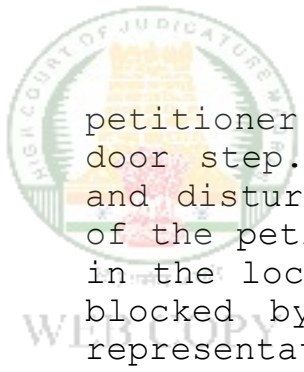
For Petitioner : Mr.D.S.Haroon Rasheed

For RR 1 & 2 : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Criminal side)

O R D E R

This Criminal Original Petition is filed seeking for a direction to the second respondent to give police protection to the petitioner's life and limb as well as for the purpose of renovation, by considering the representation dated 10.05.2021.

2. The case of the petitioner is that they are now running a grocery shop in Chennai and the same is away from the property mentioned in the petition. It is the further case of the petitioner that they are using the pathway on the northern side of their property in S.No.42/7. According to him, that pathway already belongs to the Government and they are using the same for more than 30 years and on 28.04.2021 at about 7:00 a.m., the



petitioner's brother Velaimani was doing renovation work in the door step. At that time, the respondents 3 to 5 restrained them and disturbed their work. They also threatened the life and limb of the petitioner. Therefore, they are not in a position to reside in the locality and the access to the petitioner's house has been blocked by the private respondents. On that basis, he made a representation dated 10.05.2021 before the respondents.

3. Learned Additional Public Prosecutor (Crl. Side) submitted that based upon the complaint given by the petitioner, enquiry was undertaken in C.P.No.16872/2020 and it was closed on 07.06.2021, treating it as "civil dispute".

4. Learned counsel for the petitioner also made a submission that with regard to the protection for renovating the work, he is not pressing the petition. But, however, he would submit that there is a life threat for which purpose police protection must be granted. But from the facts and circumstances of the case, it is seen that it is purely a 'pathway dispute' in which, life threat to the petitioner is not involved. So, I find no merits in this Criminal Original Petition.

5. Recording the submission made by both the counsels, this Criminal Original Petition is disposed of. However, liberty is given to the petitioner to seek appropriate remedy at appropriate time in future.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Office of the Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Puthiyamputhur Police Station,
Thoothukudi District.

<https://hcservices.hcscs.gov.in/hcservices/>



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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Crl.O.P. (MD) No.7441 of 2021
23.06.2021

CM(CO)
RD(15.07.2021) 3P 4C