



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.8021 of 2021
(Through Video Conference)

Veerasakthivel ... Petitioner

Vs.

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

2.The Inspector of Police,
Jeeyapuram Police Station,
Jeeyapuram, Trichy District.

3.Thirumanikam

4.Manokaran

5.Visuvanathan ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to give necessary Police Protection to the life and limb of the petitioner and his family members on the basis of the complaint of the petitioner, dated 12.06.2021 within a time frame as fixed by this Court under due process of law.

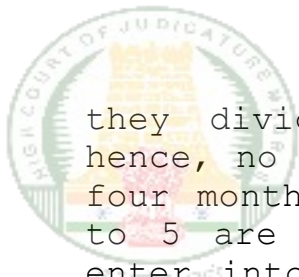
For Petitioner : Mr.T.P.Balasubramanian

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

O R D E R

This Criminal Original Petition has been filed seeking for police protection to the life and limb of the petitioner and his family members based on the representation dated 12.06.2021.

2. The case of the petitioner is that the father of the petitioner by name Neelmuthwamy and his brothers Dhanapal and Thiyakarajan were holding joint patta for the property situated in New Survey No. 25/2. After the death of the petitioner's father,



they divided the property equally through mutual consent and hence, no document was executed. The petitioner's father died some four months back. His elder brother also died. The respondents 3 to 5 are trying to grab the property illegally. They tried to enter into the property and put up a construction on 08.06.2021 that was restrained. They also advised to measure the property as per procedure, but they did not do so. Hence, a complaint was lodged by the petitioner on 10.06.2021. There was no action taken stating that it is purely a civil dispute.

3. Again a second complaint was given on 12.06.2021. Even upon that, there was no action. The threat from the private respondents are still existing. Therefore, this Criminal Original Petition is filed seeking for police protection.

4. The learned counsel for the petitioner would submit that the private respondents are his close relatives, namely brother-in-law and without measuring the property, they are trying to encroach the property of the petitioner and put up construction. When this was objected by him, they threatened and therefore, the petitioner sent a representation dated 12.06.2021 but there is no response till date.

5. Learned Additional Public Prosecutor (Criminal side) would submit that the representation has been received only on 15.06.2021 and from the facts narrated in the representation, it is seen that it is purely civil in nature and police involvement for protection cannot be given.

6. In the light of the above submission made by the learned Additional Public Prosecutor (Criminal side), this Court directs the petitioner to work out his remedy before the appropriate Civil Court through appropriate proceedings. The question of granting police protection does not arise in such circumstances.

7. Without going into the merits of the representation made by the petitioner, this Criminal Original Petition deserves disposal with a direction to the petitioner work out his remedy appropriately as narrated above. Accordingly, the Criminal Original Petition is Disposed of.

Sd/-

Assistant Registrar (CS-III)

// 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,
Thiruchirappalli District,
Thiruchirappalli.
- 2.The Inspector of Police,
Jeeyapuram Police Station,
Jeeyapuram, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P. (MD)No.8021 of 2021
21.06.2021

KM(30.06.2021) 3P 4C