



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.07.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**

Crl.O.P. (MD)No.8733 of 2021

WEB COPY

Neerathulingam

... Petitioner

Vs.

1. The Superintendent of Police,
O/o. Superintendent of Police,
Tenkasi District.
2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.
3. The Inspector of Police,
Karivalamvanthanallur Police Station,
Karivalamvanthanallur,
Tenkasi District.
4. Saraswathi
5. Rajammal
6. Rajaganapathy
7. Jekaverapandiyan
8. Arumugham

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 to provide adequate protection to the petitioner and his family members for their life and limb and subsequently protection for construction of house in Survey No.697/6 situated at Panthapuli Village, Sankarankovil Taluk, Tenkasi District, based on the petitioner's representation dated 23.06.2021.

For Petitioner : Mr.P.Ponraj
For R-1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

This petition is filed seeking a direction to the respondents 1 to 3 to provide adequate protection to the petitioner and his family members for their life and limb and also to provide protection for construction of house in Survey No.697/6 situated at Panthapuli Village, Sankarankovil Taluk, Tenkasi District, based on the petitioner's representation dated 23.06.2021.



2. The petitioner is having a land in Survey Nos.540/4, 540/5 and 540/11 in Panthapulli Village, Sankarankovil Taluk, Tenkasi District and doing agricultural work in the said lands. The petitioner and other village people are irrigating their lands from an Oorani situated in Survey No.540/9. Since some of the village people and others encroached the said Oorani, the petitioner filed a writ petition before this Court in W.P.(MD)No.19695 of 2020, for removal of encroachment and that was allowed by this Court on 21.01.2021. Because of enmity, the private respondents herein gave a false complaint against the petitioner. Therefore, the petitioner gave a representation to the first respondent on 23.06.2021, based upon which, an enquiry was conducted on 27.06.2021. During the enquiry, the third respondent warned the private respondents and his family members. Despite that, on 29.06.2021 at about 10 p.m, the 5th respondent made an illegal attempt to trespass upon the property of the petitioner and attacked the petitioner and his family members also. Hence, this petition is filed seeking direction to the respondent Police to give police protection based on the representation dated 23.06.2021.

3. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor submits that based upon the complaint given by the wife of the petitioner, enquiry was undertaken in CSR No.662 of 2021, wherein, the 6th respondent has been arrayed as an opponent. During the course of the enquiry, the wife of the petitioner herself has given an undertaking that the private respondent undertook not to make any trouble in future and based on the undertaking, the complaint was closed on 01.07.2021. When the enquiry has been closed on 01.07.2021 based on the undertaking given by the wife of the petitioner, the representation, given by the petitioner dated 23.06.2021, seeking police protection, cannot be considered at this stage.

4. In view of the above, I do not find any merit in this petition. Hence, this petition is dismissed.

Sd/-

Assistant Registrar(CS-)

// 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,
O/o. Superintendent of Police,
Tenkasi District.
2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.
3. The Inspector of Police,
Karivalamvanthanallur Police Station,
Karivalamvanthanallur,
Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD)No.8733 of 2021
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mj (CO)
TR(14.07.2021) 3P 5C