



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD) .No.11919 of 2021

Mohammed Shaheen

... Petitioner

Vs.

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

2.The Sub-Inspector of Police,
Pamban Police Station,
Pamban-623 521,
Ramanathapuram District.

3.Sathikul amen

4.Lenin

5.Abdulla

6.Rajan

7.Arumugam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 & 2 to give police protection for the petitioner and his family for his life and limb.

For Petitioner : Mr.S.A.Ajmal Khan
For R1 & R2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. side)

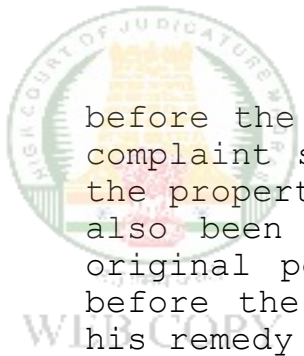
ORDER

(This petition is heard through video conference)

This petition has been filed seeking direction to the respondents 1 & 2 to give police protection for the petitioner and his family for his life and limb.

2.When the matter was taken up for hearing on 04.08.2021, the learned Additional Public Prosecutor submitted that based upon the undertaking given by the private respondents, it was closed on 13.07.2021. But according to the learned counsel for the petitioner in spite of the above said undertaking given by the private respondents, they again made trouble. So he gave another representation dated 02.08.2021.

3.The learned Government Advocate (Crl. Side) submitted that the above said matter is pending consideration by the first respondent herein. Because of the non co-operation of the petitioner, it is kept pending. However, the learned counsel for the petitioner submitted that the petitioner is ready to appear



before the Enquiry Officer to complete the enquiry. Reading of the complaint shows that the private respondents made encroachment upon the property belongs to the petitioner by putting fence. Request has also been made to remove the fence and restore the same to its original position. Such a sort of enquiry or prayer will not lie before the police officers. Hence, the petitioner has to workout his remedy through proper civil proceedings.

4.Let the first respondent conclude the enquiry within a period of one month from the date of receipt of a copy of this order and decide the same on merits by summoning the petitioner and private respondents in the light of the above observations.

5.With the above said directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
Ramanathapuram District,
Ramanathapuram.

2.The Sub-Inspector of Police,
Pamban Police Station,
Pamban-623 521,
Ramanathapuram District.

Copy to:

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

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04.10.2021

SRK (CO)

RS/JC (08.11.2021) 2P 4C

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