



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P (MD) No.13253 of 2021

WEB COPY

T.Maheshwari

..Petitioner

Vs

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

2.The Inspector of Police,
Thattaramadam Police Station,
Tuticorin District.

3.Pethuru

4.David

5.Jebaraj

6.Rooban

7.Ponraj

..Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 & 2 to provide appropriate police protection to the petitioner's life and limb and also for the petitioner's peaceful enjoyment of the property in survey No.835/1C situated at Sathankulam Village, Sathankulam Taluk, Tuticorin District, on the basis of the petitioner's representation dated 09.08.2021.

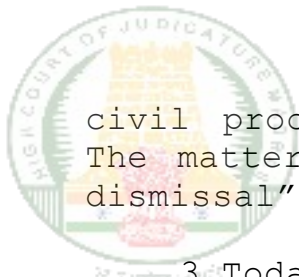
For Petitioner : Mr.J.David Ganesan

For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

This petition has been filed seeking police protection to the petitioner based on her representation dated 09.08.2021.

2.When the matter is taken up for hearing on 09.09.2021 there was no representation for the petitioner. The learned Additional Public Prosecutor submitted that based upon the representation made by the petitioner, enquiry was undertaken and during the course of enquiry, it was found that there is counter allegation stating that the petitioner encroached 20 cents of land belongs to the fifth respondent herein and finding that there is civil dispute between the parties, they were advised to redress their grievance before the appropriate civil Court through appropriate



civil proceedings and accordingly, it was closed on 10.08.2021. The matter is ordered to be listed today under the caption "for dismissal".

3.Today(21.10.2021), the learned counsel appearing for the petitioner appeared through video conference and submitted that only the fifth respondent has made trouble and trying to encroach the property. Hence, he has given representation seeking police protection.

4.As mentioned earlier, there is counter allegation alleging that this petitioner has encroached 20 cents belongs to the fifth respondent herein. Since it is civil dispute, granting police protection to one of the parties may not be proper. Depending upon the civil proceedings, further steps can be taken by the petitioner. Similarly, on the basis of the complaint given by the fifth respondent, enquiry was undertaken in CSR No.426 of 2021, which was also closed on 10.08.2021, on the ground that this is civil dispute.

5.Since both the complaints have been closed, nothing survives for further consideration or direction in this petition. However, the petitioner is at liberty to work out her remedy through appropriate civil proceedings.

6.With the above liberty, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (W)

// 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 Superintendent of Police,
Tuticorin District,

Tuticorin.

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



2.The Inspector of Police,
Thattaramadam Police Station,
Tuticorin District.

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

Crl.O.P(MD)No.13253 of 2021
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RK/PM (29/10/2021) 3P 4C