



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**
CrI.O.P.(MD)No.15310 of 2021

WEB COPY

C.Rathinam

... Petitioner

Vs.

1.The Deputy Inspector General of Police,
Trichy Zone,
Trichy.

2. The Superintendent of Police,
Karur District,
Karur.

3.The Inspector of Police,
Thogamalai Police Station,
Karur District.

4. Sangappillai

5. Anjala

6. Ramachandran

7. Murugesan

8. Thavasun

9. Dhanapal

10. Ramar

11. Anandan

12. Ganesan

13. Malaiyalam

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 to provide adequate police protection to the petitioner and his family members on the basis of the complaint and representations dated 27.09.2021 and 29.09.2021.



For Petitioner
For R1, R2 & R-3

: Mr.S.Gokulraj
: Mr.RMS.Sethuraman
Additional Public Prosecutor

O R D E R

WEB COPY This petition has been filed seeking direction to the respondents 1 to 3 to provide adequate police protection on the basis of the representations dated 27.09.2021 and 29.09.2021.

2. The learned counsel for the petitioner would submit that the petitioner borrowed Rs.13,00,000/- for purchasing property from one Singaram for which he executed a sale agreement in Doc.No.2635 of 2012 dated 09.04.2012. It is also submitted that the above said sale agreement was made over to the fourth respondent upon which they have entered into the house and made life threat. In respect of the dispute, a suit in O.S.No. 102 of 2019 before the District Munsif Court, Kulithalai, Karur District has been filed by the petitioner before the District Munsif, Kuzhithurai. Similarly, the fourth respondent has also filed O.S.No. 171 of 2019 before the District Munsif Court, Kulithalai and both suits are pending. During pendency of the above said suits, they have made trouble and therefore, the representation has been made.

3. The learned Additional Public Prosecutor would submit that based upon the complaint given by the petitioner, enquiry has been undertaken and during the course of enquiry, it was found that there is property dispute and two suits are pending before the concerned court. The parties have given undertaking to the effect that they will resolve the dispute in the abovesaid suits and therefore, the complaint was closed on 7.10.2021.

4. The suits are pending and if any trouble arises at the hands of the private respondents, the petitioner can very well work out their remedy before the civil court and depending upon the order to be passed by the civil court only, the third respondent can take any further steps. Without any proper civil court's order, during the pendency of the suits, granting of police protection based upon the representation of one of the parties will not arise.

5. In view of the undertaking given by the parties before police and and placing on record the copy of the closure report, this petition is disposed of.

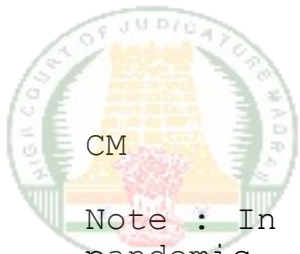
Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 Deputy Inspector General of Police,
Trichy Zone,
Trichy.

2. The Superintendent of Police,
Karur District,
Karur.

3.The Inspector of Police,
Thogamalai Police Station,
Karur District.

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

+1 CC to M/s.S.GOKUL RAJ, Advocate (SR-31680[F] dated 08/10/2021)

Crl.O.P. (MD)No.15310 of 2021
07.10.2021

NSN(CO)
KB(28.10.2021) 3P 6C