



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.18028 of 2021

WEB COPY

S.Kalpana

... Petitioner

Vs

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

2.The Inspector of Police,
Pappanadu Police Station,
Orathanadu Taluk,
Thanjavur District.

3.The Sub Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

4.Manickavasagam

5.Praba

6.Palanichamy

7.Ramarajan

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 to 3 to provide adequate police protection to the petitioner and her family members life and limb with the peaceful enjoyment of the petitioner's property comprised in Survey No.169/B, situated at Neiveli North Village & Post, Orathanadu Taluk, Thanjavur District, from the respondents 4 to 7 based on the representation dated 26.10.2021.

For Petitioners : Mr.K.Malaimaran

For R1 to R3 : Mr.M.Sakthi Kumar

Government Advocate (Crl.)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 3.

<https://hcservices.courts.gov.in/hcservices/> 2. This Criminal Original Petition has been filed for



directing the respondent police to provide the petitioner with adequate police protection and her family members so that they can peacefully enjoy the petition mentioned property.

3. It appears that the petitioner and the private respondents are close relatives. There is a dispute regarding the petition mentioned property. According to the petitioner, she is the title holder and that she is also having possession and the same is being interfered with by the private respondents. The remedy open to the petitioner is to file an injunction suit. Filing a petition for police protection under Section 482 of Cr.P.C., is clearly misconceived. The petitioner is not having any enforceable decree or order of the civil Court. The question of granting relief under Section 482 of Cr.P.C., will not arise at all.

4. Leaving open the petitioner's rights and remedies, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CO)

// 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,
Thanjavur District,
Thanjavur.
2. The Inspector of Police,
Pappanadu Police Station,
Orathanadu Taluk,
Thanjavur District.
3. The Sub Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

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



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

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AR (CO)
SB (29.11.2021) 3P 5C