



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.19467 of 2021

WEB COPY

Muthulakshmi

... Petitioner

Vs

1.The Superintendent of Police,
Dindigul District.

2.The Sub Inspector of Police,
Ambiligai Police Station,
Dindigul District.

3.Suresh

4.Kalaiselvi

5.Gnanagurusamy

6.Mayilathal

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 and 2 to give adequate police protection for the life and limb of the petitioner and her son to have peaceful possession and enjoyment of the suit properties as per the decree made in O.S.No.10 of 2014 by the District Munsif Court, Oddanchathiram dated 01.11.2014 in respect of the survey Nos.562/2D, 2A&2C to an extent of 3 acres 15 cents 7 ½ cents and 6 cents with well and bump-set respectively and the properties in Survey Nos.561/2, 563/2B4 & 2B5 to an extent of 2 acres 91 cents, 1 acre 6 cents and 5 cents with well and bump-set respectively situated at Veriyapur Village, Oddanchathiram Taluk, Dindigul District based on her complaint dated 17.06.2021 made before the second respondent.

For Petitioners : Mr.D.Venkatesh

For R1 & R2 : Mr.M.Sakthi Kumar

Government Advocate (Crl.)

ORDER

This Criminal Original Petition has been filed seeking police protection.

2. The petitioner is in-fact armed with a civil court decree. But the said decree was an exparte decree. An exparte decree is also having the same force as a decree that is passed after



contest. But in this case, the private respondents herein filed a set aside petition along with condone delay petition. Delay was condoned. Aggrieved by the same, the petitioner herein filed C.R.P.(MD)No.962 of 2016 and interim stay has been granted.

3. Though at present, technically, the decree is still operating, the fact remains that there is a bit of cloud. Therefore, I am not in a position to grant relief while exercising jurisdiction under Section 482 of Cr.P.C. The petitioner is certainly at liberty to move the trial court concerned or even an M.P in the pending C.R.P.

4. With this liberty to the petitioner, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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,
Dindigul District.
- 2.The Sub Inspector of Police,
Ambiligai Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.19467 of 2021
09.12.2021

MGJ(21.12.2021) 2P 4C