



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P. NO.3024 OF 2022

1.S.Senthil Kumar
2.S.Mangaiyarkarasi

...Petitioners

Vs.

1. The Superintendent of Police,
Coimbatore District.

2. The Inspector of Police,
Valparai Police Station
Valparai,
Coimbatore District 642 127.

...Respondents

PRAYER:

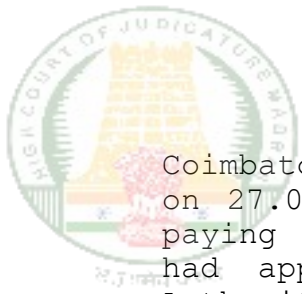
Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents to provide police protection adequate safety and security to the life of the petitioners and their property viz., an extent of 3.15 acres in Survey No.12/6A1A1B in Anamalai Kundrugul Village, Valparai Taluk, Coimbatore District, based on the complaint dated 11.01.2022 made by the first petitioner.

For Petitioners	: Mr.S.Sathia Chandran
For Respondents	: Mr.A.Gokulakrishnan
	Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the respondents to provide police protection adequately safety and security to the life of the petitioners and their property viz., an extent of 3.15 acres in Survey No.12/6A1A1B in Anamalai Kundrugul Village, Valparai Taluk, Coimbatore District, based on the complaint dated 11.01.2022 made by the first petitioner.

2.Learned counsel for the petitioners would submit that the petitioners are the owners of an extent of 3.15 acres of land in G.S.No.12/6A1A1B in Annamalai Kundrugul Village, Valparai Taluk,



WEB COURT

Coimbatore District. The petitioners had purchased the property on 27.05.2015 from one Madhanagopal, son of Ravikrishnan after paying a sum of Rs.54,10,000/-. The said Madhanagopal himself had applied for necessary permissions from the appropriate Authority and thereafter only, he sold the property to the petitioners. After purchase on 27.05.2015, the petitioners are in possession and enjoyment of the land without any trouble. Meanwhile, there had been a dispute between the said Madhanagopal and his wife Praveena. Whiles, on 26.03.2021, the erstwhile vendor Madhanagopal and one Balachander had trespassed into the property of the petitioners and committed theft of tea buds from the plants worth about Rs.60,000/- and also taken away a vehicle. The petitioners had preferred a complaint to the respondent police. Since they did not take action, the petitioners were constrained to approach the learned Judicial Magistrate, Valparai in CrI.M.P.No.176 of 2021 and the learned Judicial Magistrate directed the registration of the petitioners' complaint pursuant to which, filed a case in Crime No.65/2021 was registered for the offences under sections 447 and 397 I.P.C. While so, the petitioners came to understand that the said Madhanagopal having sold the property to the petitioner by a valid registered sale deed dated 27.05.2015 has given a false complaint as if it was sold to the petitioner by fabrication of documents. Based on the false complaint, a case has been registered in Crime No.66/2021 for the offences under sections 447, 427 and 506(i) I.P.C. Whiles, the said Madhanagopal has approached this court in CrI.O.P.No.10380 of 2021 seeking for police protection and this court by order dated 24.06.2021, had directed the second respondent to act upon in the complaint received from him with regard to providing protection of safety to his life and peaceful enjoyment of the property of the petitioner therein and also directed the said Madhanagopal to approach the civil court for share and enjoyment of the property. Taking advantage of the order passed by this court, the said Madhanagopal has once again disturbed the peaceful possession of the petitioners on 11.01.2022 and thereby, the petitioners have sought for a direction to the respondents to provide police protection to him. Since the respondents have not taken any action, the present petition has been filed.

3.Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for the respondents would submit that one Madhanagopal has given a complaint against the petitioners stating that his wife by fabricating documents had sold 3.15 acres of his land to him on 27.05.2015 and on the complaint of Madhanagopal, a case in Crime No.66 of 2021 was registered. Based on the complaint of the petitioners and on the Court's direction, a case has been registered against the said Madhanagopal in Crime No.65/2021. He would further submit that the matter relates to the dispute



regarding the ownership of the property and the respondents are conducting a fair investigation in both the complaints. He would further submit that the respondents will conduct fair investigation and final report will be filed in both the cases. He would further submit that if there is any threat to the life or the property of the petitioners, the respondents will take adequate action. Recording the same, this criminal original petition stands closed. It is made clear that the respondents shall complete the investigation and file final report in Crime Nos.65 and 66 of 2021 pending on the file within a period of two months from the date of receipt of a copy of this order. Further in the event of any disturbance to law and order and breach of peace, the respondents are at liberty to initiate appropriate proceedings in accordance with law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vri/shk

To

1. The Superintendent of Police,
Coimbatore District.
2. The Inspector of Police,
Valparai Police Station
Valparai,
Coimbatore District 642 127.
3. The Public Prosecutor
Madras High Court.

+1cc to Mr.S.Sathia Chandran, Advocate, S.R.No.8910

Cr1.O.P.No.3024 of 2022

PL (CO)
PM/24/02/2022