



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8441 of 2022

M.Krishnamurthy,
S/o.Munusamy

...Petitioner

Vs

1.The Superintendent of Police,
Krishnagiri.

2.The Sub Inspector of Police,
Denkanikotta.

3.Premakuari,
W/o.Nagaraj

4.Nagaraj,
S/o.Rangappa

5.Sridhar,
S/o.Nagaraj

6.Kalavathi,
W/o.Krishnamoorthy

...Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to grant police protection to the petitioner and his property.

For Petitioner : Mr.S.C.Vishwanth

For Respondents :

For R1 & R2 : Mr.V.Meganathan
Government Advocate
(Criminal Side)



ORDER

This petition has been filed, to direct the second respondent to grant police protection to the petitioner and his property.

2. The learned counsel for the petitioner would submit that the petitioner is an absolute owner of the land situated in S.No.578/2 to an extent of Dec.0.55.0 and in S.No.578/4 to an extent of Dec.0.28.5 and the petitioner is in peaceful possession of the said land. He would further submits that the third and sixth respondents herein, who are the sisters of the petitioner had filed a suit for partition in O.S.No.147 of 2010 and the same is pending before the District Munsif Court at Denkanikotta. He would further submits that all the revenue records stands in the name of the petitioner alone. However, the third respondent along with her husband and son who are the fourth and fifth respondents herein are continuously disturbing the peaceful possession and occupation of the petitioners and they are trying/attempting to trespass in to the property. The petitioner has given a complaint dated 26.03.2022 seeking police protection whereas, no action has been taken by the first and second respondents and thereby the present petition has been filed seeking to grant police protection to the petitioner and his property.

3. The learned Government Advocate (Criminal Side) for the first and second respondents would submit that the third and sixth respondents are sisters of the petitioner and the fourth and fifth respondents are husband and son of the third respondent. There is a dispute pending between the petitioner and his sisters who are the third and sixth respondents herein, and a partition suit is also pending between the parties. Earlier, a complaint has been given by the petitioner, based on which, a case in Crime No.67 of 2022 was registered by the second respondent for the offences punishable under Sections 294(b) and 506 (i) of IPC. He would further submit that the second respondent will duly summon the third to sixth respondents and would conduct enquiry and if necessary, appropriate protection will be given to the petitioner.



4. Recording the same, this Criminal Original Petition stands disposed of with a direction to the second respondent to conduct suitable enquiry and afford protection to the petitioner, if necessary.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rgm/arb
To

- 1.The Superintendent of Police,
Krishnagiri.
- 2.The Sub Inspector of Police,
Denkanikotta.
- 3.The Public Prosecutor,
High Court of Madras.

+1 CC to Mr.S.C.Vishwanth, Advocate sr 25808.

Cr1.O.P.No.8441 of 2022

GPL (CO)
SP (04/05/2022)