



WEB COPY



Crl.O.P.No.21965/2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2022

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THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.21965 of 2022

M. Lalitha

...

Petitioner

/vs/

1.The State of Tamil Nadu,
represented by the
Inspector of police,
Kannankurichi Police Station,
Kannankurichi, Salem District.

2. G.Chandrasekar

3. G.Ramachandran

4. S.Gopal

5. G.Rajeswari

...

Respondents

Prayer : The Criminal Original Petition has been filed under Section 482 Cr.P.C. to grant an order of direction directing the first respondent to forthwith provide sufficient police protection to the petitioner and her family members, so as to enable them to live peacefully and to cultivate the agricultural lands measuring 0.48 acres in Survey No.72/1 with 1/8th share in the well and 3 H.P. Electric motor situate at Mitta Ayyamperumapatty Village, Salem Taluk, Salem District.

For Petitioner ... Mr. K. Selvaraj



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For Respondent ... Mr.S.Santhosh
Government Advocate (Crl.Side)-R1
Mr.K.S.Karthik Raja, R2 to R5

ORDER

The petitioner has come up with the present petition seeking a direction to the first respondent to provide police protection to her and her family members, enabling them to cultivate their lands measuring 0.48 acres along with 1/8th share of well and HP motor as stated above.

2. According to the petitioner, the petitioner is in possession and cultivating the lands measuring 0.48 acres in S.No.72/1 with 1/8th share in the well along with 3 HP electric motor situate at Mitta Ayyamperumapatty Village, Salem Taluk, Salem District. The petitioner's husband filed a suit in O.S.No.618 of 2012 before the I Addl. District Munsif Court, salem, wherein, an order of interim injunction was also granted in I.A.No.244 of 2012 till the disposal of the suit. Thereafter, the suit was transferred to II Addl. Subordinate Court, Salem and re-numbered as O.S.No.600 of 2018.



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3. It is the case of the petitioner that while the interim order is in force, the respondents 2 to 5, herein are threatening the petitioner and her agricultural labourers employed for cultivating the land. Therefore, she was constrained to lodge a complaint dated 11.7.2022 before the 1st respondent seeking to provide police protection to her and her family, however, the 1st respondent has not provided any such protection sought by her, thus she has filed the present Criminal Original Petition.

4. The learned counsel appearing for the respondents 2 to 5 contended that the petitioner is the daughter in law of the 4th respondent and she has been in possession and enjoyment of the above lands by cultivating the same. He would further contend that pending disposal of the suit in O.S.No.600 of 2018, before the Subordinate Court, Salem, now the petitioner, with an ulterior motive, lodged a complaint raising false allegations against the respondents 2 to 5 and seeks for police protection. Thus he prayed for dismissal of this petition.



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5. The learned Govt. Advocate (crl.side) submitted that the complaint given by the petitioner on 11.7.2022 seeking police protection has been received in CSR.No.474 of 2022, however, on the basis of the endorsement made by the petitioner that she would work out her remedy before the appropriate civil court, the same was closed on 12.7.2022. Thus he prayed for dismissal of this petition.

6. Recording the submission made by the learned Govt. Advocate (crl.side), this Criminal Original Petition is closed . The parties to the dispute are directed to work out their remedy before the Civil Court in the manner known to law.

10.10.2022

Index : Yes/No

Internet : Yes/No

msr

To

1.The Inspector of police,
Kannankurichi Police Station,
Kannankurichi, Salem District.

2.The Public Prosecutor,
High Court, Madras.



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V.SIVAGNANAM,J.

msr

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