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Crl.O.P.No.28554 of '22



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.28554 of 2022

1.Selvam
2.Arjunan

...

Petitioners

versus

1.The Deputy Superintendent of Police,
Superintendent Office of Kallakurichi,
Kallakurichi District - 606 202.

2.The Sub Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District,
Kallakurichi - 606 202.

3.N.Palanisamy
4.Akasadurai
5.P.Ramesh

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to direct the second respondent to provide police protection to the petitioner's agricultural land situated at S.No.154/9 to an extent of 0.28 acres / cents, S.No.155/13 to an extent of 0.47 acres / cents, Indhili Village, Kallakurichi Taluk, Kallakurichi District on the basis of their complaint dated 09.11.2022.



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For Petitioners : Mr.S.Venkatesh

For Respondent Nos.1 & 2 : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent to provide police protection to the petitioners and their lands based on their complaint dated 09.11.2022.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2.

3. The learned counsel for the petitioners submitted that the petitioners had given a complaint against the respondents 3 to 5 of certain allegations and on which, no action has been taken by the second respondent. Subsequently, they filed a petition under 156(3) Cr.P.C. and on the direction of the learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram, a case has been registered in Crime No.351 of 2022 on the file of the second respondent



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police. He further submitted that even after registering the case no investigation has been carried out and taking advantage of the same, the respondents 3 to 5 sold away the property to some third persons and the said persons who got the sale are trying to dispossess the petitioner from the subject property and hence, police protection should be given.

4. The learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2 submitted that on the representation given by the petitioners seeking police protection, current paper enquiry has been initiated in C.S.R.No.658 of 2022 and the petitioners themselves have made an endorsement that they would seek recourse before the Civil Court.

5. The allegations made by the petitioners itself would show that the matter involves certain civil issues and for which the petitioners have to seek appropriate remedy through the Civil Court. So, the petitioners are at liberty to take appropriate proceedings by initiating civil proceedings before appropriate forum.



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6. With these observations, this Criminal Original Petition
stands disposed of.

22.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri

To

1.The Deputy Superintendent of Police,
Superintendent Office of Kallakurichi,
Kallakurichi District - 606 202.

2.The Sub Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District,
Kallakurichi - 606 202.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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R.N.MANJULA, J.

sri

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22.11.2022