



WEB COPY



CRL.O.P.No.29165 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No. 29165 of 2022

Manoharan

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Kangeyam,
Tiruppur District.

2. The State rep. by its,
The Inspector of Police,
Uthukuli Police Station,
Tiruppur District

3. Paramasivam

4. Susheela

... Respondents



CRL.O.P.No.29165 of 2022

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to grant sufficient police protection to the petitioner and his property comprised in Re.S.No.45, 46, 46/1, 46/2A2, 46/2B, 44/1, 44/2, 44/4, 77/3, 77/7, 78/2, 92/6, 92/18, 92/1,2,3,4,5, 147/1,2 situated a S.Periyapalayam Village, Uthukuli, Tiruppur District by considering his representation dated 15.11.2022.

For Petitioner : Mr.K. Myilsamy

For Respondents : Mr. S.Santhosh,
Government Advocate (Crl.side)
for R1 & R2

ORDER

This petition has been filed to direct the 2nd respondent police to give Police Protection to the petitioner and his property comprised in Re.S.No.45, 46, 46/1, 46/2A2, 46/2B, 44/1, 44/2, 44/4, 77/3, 77/7, 78/2, 92/6, 92/18, 92/1,2,3,4,5, 147/1,2 situated a S.Periyapalayam Village, Uthukuli, Tiruppur District.

2. The learned counsel for the petitioner submitted that the petitioner



CRL.O.P.No.29165 of 2022

owned property comprised in 45, 46, 46/1, 46/2A2, 46/2B, 44/1, 44/2, 44/4, 77/3, 77/7, 78/2, 92/6, 92/18, 92/1,2,3,4,5, 147/1,2 situated a S.Periyapalayam Village, Uthukuli, Tiruppur District. While being so, the respondents 3 and 4 are disturbing the petitioner's possession and enjoyment of the suit property. Therefore, the petitioner lodged a complaint before the 2nd respondent seeking police protection. At the same time, on the said cause of action, the petitioner has also filed a suit in O.S.No.56 of 2022 on the file of the District Munsif Court, Tuticorin for permanent injunction as against the respondents 3 and 4 and the same is pending. Therefore, seeks police protection to the petitioner and his property.

3. Heard the learned Government Advocate (crl. side) appearing for the respondents 1 and 2.

4. It is seen that there is a civil dispute pending between the petitioner and the respondents 3 and 4. Hence, the 2nd respondent police cannot provide any police protection.



CRL.O.P.No.29165 of 2022

WEB COPY 5. Accordingly, this Criminal Original Petition is dismissed.

However, if any untoward incident happened, the petitioner is at liberty to lodge a fresh complaint on the fresh cause of action.

28.11.2022

Internet: Yes

Index: Yes/no

Speaking/Non speaking order
mrp

To

1. The Deputy Superintendent of Police,
Kangeyam,
Tiruppur District.
2. The State rep. by its,
The Inspector of Police,
Uthukuli Police Station,
Tiruppur District
3. The Public Prosecutor,
High Court, Madras.



WEB COPY



CRL.O.P.No.29165 of 2022

G.K.ILANTHIRAIYAN, J.

mrp

CRL.O.P.No.29165 of 2022

28.11.2022