



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

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THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.8489 of 2022

WEB COPY

Balamurugesan

... Petitioner

Vs

1.The Inspector of Police,
Sempatti Police Station,
Dindigul District.

2.Rajeshkumar

... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the second respondent to accord police protection to the petitioner's life and limb forthwith in the light of the petitioner's representation dated 01.01.2021.

For Petitioner	: Mr.R.L.Dhilipan Pandian
For R1	: Mr.M.Sakthi Kumar
	Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed for a direction to the second respondent to accord police protection to the petitioner's life and limb forthwith, in the light of the petitioner's representation dated 01.01.2021.

2.The learned counsel for the petitioner submitted that the petitioner had purchased the land of 3 acres 40 cents from one Rajammal in Survey No.209/2B, 5B, 6B on 09.10.2019 and he is in possession and enjoyment of the same. His adjacent land owner, namely Rajesh Kumar is trespassing into his property and giving trouble. Therefore, he gave a complaint to the respondent police. Based on the complaint, a counter case has also been registered in Crime No.103 of 2021 against the said Rajesh Kumar. Although the respondent police registered the case, he is threatening the petitioner. Hence, the petitioner seeks police protection.

3.The learned Government Advocate (crl.side) submitted that the petitioner's case has been registered in crime No. 103 of 2021. The accused gave a complaint against this petitioner. On that complaint, a case has been registered in Crime No.104 of 2021. He further submitted that there is no representation from the petitioner seeking police protection pending at the hands of the police. The



petitioner is not able to show any representation that has been given to the police.

4.I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondents police.

5.Admittedly, there is dispute between the petitioner and the 2nd respondent with regard to the land purchased by the petitioner. The accused is the adjacent owner. Due to the dispute, both the parties gave complaints before the police and cases have been registered on both complaints in Crime Nos.103 /2021 and 104 /2021 and the investigation is now pending.

6.Considering the submission of the learned Government Advocate (crl.side) that no representation is pending before the respondent police seeking for police protection from the petitioner, I find that this petition is not maintainable for grant of police protection to the petitioner. Therefore, this Criminal Original Petition is dismissed. However, if any fresh representation is given by the petitioner, the respondent police may consider it on merits.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Inspector of Police,
Sempatti Police Station,
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN

CRL.O.P (MD) No.8489 of 2022

09.06.2022

SB (CO)

GC(17.06.2022) 2P 3C