



Crl.O.P.(MD) No.10442 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.06.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.10442 of 2022

Balakrishnan

... Petitioner

Vs

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thoothukudi,
Thoothukudi District.
- 3.The Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.
- 4.Murugan
- 5.Fadma
- 6.Indra

... Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents herein to provide adequate police protection to the petitioner's limb and life by considering his representation dated 18.04.2022 within the time stipulated by this Court.

For Petitioner : Mr.V.Malaiyendran

For Respondents : Mr.A.Albert James
1 to 3 Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to provide adequate police protection to the petitioner's limb and life by considering his representation dated 18.04.2022

2.The case of the prosecution is that the petitioner has purchased the property on 05.03.2012 by way of registered sale deed. The respondents 4 to 6 are giving continuous trouble to construct a compound wall and preventing the revenue officials to survey the land and fix the boundary stones in respect of the petitioner's property. Hence, he gave a complaint to the third respondent police on 31.03.2022, for which C.S.R.No.659 was issued and the respondent conducted an enquiry by calling all the parties

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and during the course of investigation, the police officials warned the parties not to indulge in unnecessary disputes. While so, on 18.04.2022 at about 7.45 a.m, the respondents 4 to 6 trespassed into the petitioner's property with deadly weapons and tried to attack and threatened the petitioner. Hence, he made a complaint before the first respondent police on 18.04.2022 to provide police protection. Till date, the said complaint has not been considered. Hence, the present Criminal Original Petition has been filed.

3. The learned counsel for the petitioner submitted that the petitioner and the respondents 4 to 7 are neighbours. On 18.04.2022, the petitioner tried to survey the land and fix the boundary stones in respect of the petitioner's property. At that time, the respondents 4 to 7 trespassed into the petitioner's property and threatened him with deadly weapon. Hence, he made a complaint before the first respondent police on 18.04.2022. The grievances of the petitioner is that even after lapse of two months, the respondent police has not taken any effective steps.



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4. The learned Government Advocate(Crl.Side) submitted that based upon the complaint dated 18.04.2022 given by the petitioner on 09.04.2022 the third respondent police conducted an enquiry by calling all the parties, at that time, both the parties are agreed to survey the land in peaceful manner and thereafter, the third respondent closed the complaint.

5. 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.

6. Considering the facts and the circumstances of this case, this Court directs the third respondent to consider the petitioner's representation dated 18.04.2022 and to give police protection to survey the disputed land.

With the above directions, this Criminal Original Petition is disposed of.

14.06.2022

Internet:Yes./No

Index:Yes/no

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- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thoothukudi,
Thoothukudi District.
- 3.The Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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ORDER IN
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