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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P(MD)No.12466 of 2022

Chandirasekar ... Petitioner

Vs.

1.The State,
Represented by
The Inspector General of Police (Central Zone),
TVS Tollgate Road,
Opposite to Jamal Mohammed College,
Trichy – 20.

2.The State,
Represented by,
The Superintendent of Police,
O/o the Superintendent of Police,
Trichy,
Trichy District.

3.The State,
Represented by,
The Inspector of Police,
Anti Land Grabbing Cell,
Trichy,
Trichy District.

4.Dharmar

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5.Sivaji

6.Palaniyandi ...Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C directing the respondents 1 to 3 to give necessary Police protection to the property in Survey No.122/5, 367/1 in Mangalam Village and protect the life and limb of the petitioner and his family members on the basis of the Petitioner's representation dated 01.07.2022.

For Petitioner : Mr.A.Joel Paul Antony

For R-1, R-2 and R-3 : Mr.R.Suresh Kumar, Government Advocate (Criminal Side).

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 to 3 to give necessary Police protection to the property in Survey No.122/5, 367/1 in Mangalam Village and protect the life and limb of the petitioner and his family members on the basis of the Petitioner's representation dated 01.07.2022.

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2. The facts of the case are that the petitioner and the fourth respondent entered into the sale agreement on 27.02.2003 for the above said property. But the fourth respondent failed to adhere the terms and conditions stated in the sale agreement. Hence, the sale agreement ended in failure. But, after the lapse of 19 years, the fourth respondent along with the fifth and sixth respondents trespassed into the petitioner's land and threatened the petitioner and his family members in various manner to vacate the land. In addition, the fourth respondent created forged sale agreement in favour of him and also filed a civil suit in O.S.No.306 of 2021 on the file of District Civil Court, Musiri. While the matter stood thus, on 13.06.2022, at about 10.00 a.m the respondents 4 to 6 entered the petitioner's land illegally and threatens to kill the petitioner and his family members. Aggrieved over the same, the petitioner preferred a complaint dated 15.06.2022, in which the compliant was forwarded by the first respondent to the Jambunathapuram Police Station. An investigation was conducted and it was again forwarded to the Anti-Grabbing Cell, the third respondent herein. Thereafter, no action was taken. Having no other way, the petitioner preferred detailed representation dated 01.07.2022 to the respondents Police seeking for protection. Since, no action was taken, the present Criminal Original Petition has been filed.

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3. The learned Government Advocate (Criminal Side) submitted that having received the said representation dated 01.07.2022, they would provide protection to the petitioner.

4. Recording the same, this Court directs the third respondent to provide sufficient protection to the petitioner by considering the petitioner's representation dated 01.07.2022 and take suitable action on merits within a period of three (3) weeks from the date of receipt of a copy of this order.

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

11.07.2022

Index : Yes / No
Internet : Yes/ No
Nsr

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To

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Opposite to Jamal Mohammed College,
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2.The Superintendent of Police,
O/o the Superintendent of Police,
Trichy,
Trichy District.

3.The Inspector of Police,
Anti Land Grabbing Cell,
Trichy,
Trichy District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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V.SIVAGNANAM, J.

Nsr

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