



CrI.O.P(MD)No.13598 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CrI.O.P(MD)No.13598 of 2022

M.Thirumoorthy

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai District.

3.S.Maicheal

4.Maicheal Josep

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the first and second respondents to give adequate police protection to the petitioner's life and limb based on the petitioner's representation, dated 30.05.2022.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For R1 - R2 : Mr.R.Sureshkumar
Government Advocate (CrI.side)



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ORDER

This Criminal Original Petition has been filed to direct the first and second respondents to give adequate police protection to the petitioner's life and limb, based on the petitioner's representation, dated 30.05.2022.

2.The learned counsel appearing for the petitioner submitted that the petitioner is a tenant in a shop in T.S.No.9954-3A, situated at Marthandapuram 3rd street, Pudukottai, belongs to one Late. Savarimuthu. After his death, his son Maicheal/3rd respondent maintaining the shop with assistance of his cousin Maicheal Josep/4th respondent. The petitioner properly paying rent regularly for the shop to the 3rd respondent till date. In the month of March 2020, the 4th respondent came to the petitioner's shop, threatened him to vacate the shop and continuously harassing the petitioner. Hence, the petitioner filed a suit in O.S.No.33 of 2022, before the District Magistrate Court, Pudukkottai seeking for a permanent injunction to restrain the respondents from eviction of the petitioner unlawfully and the same is pending. On 01.05.2022 the 4th respondent and others open his shop, damaged the sticker machine worth about Rs.8 lakhs and sticker accessories and furniture worth about to Rs.3.5 lakhs were found missing. Thereafter, the petitioner gave a complaint before the second respondent police and the case has been registered on 13.05.2022 in



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Crime No.154 of 2022, for the offences punishable under Sections 454, 457, 380 of IPC. Since the second respondent police has not taken any action, he gave another representation to the first respondent on 31.05.2022 for seeking police protection. Since no action has taken by the respondent police, the present petition has been filed.

3. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the based on the complaint given by the petitioner with regard to the incident happened on 05.05.2022, the case has been registered in Crime No.154 of 2022 for the offences under Sections 454, 457, 380 of IPC and it is under investigation. Thereafter, on 31.05.2022, he gave another representation to the first respondent police for seeking police protection now it is pending.

4. Recording the said submission made by the learned Government Advocate (Crl.side), the second respondent is directed to consider the representation of the petitioner, dated 31.05.2022 with regard to police protection and to take suitable action on merits, within a period of two weeks from the date of receipt of a copy of this order.



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5. With a above direction, this Criminal Original Petition stands disposed of.

28.07.2022

Index : Yes / No
Internet : Yes/ No
vsd

To

1. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
2. The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai District.
3. Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

vsd

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