



Crl.O.P.No.6270 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.6270 of 2023

S.Govindaraj

... Petitioner

Vs.

1.The State,
Represented by Inspector of Police,
J9 Thoraipakkam Police Station,
No.2/231, C L Mehta Road,
Old Mahabalipuram Road,
Thoraipakkam, Chennai – 600 097.

2.Padmini

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent Police to provide police protection based on the complaint dated 17.02.2023 for fencing the petitioner's land.

For Petitioner : M/s.Aishwarya A.

For R1 : Mr.A.Gopinath
Government Advocate (Crl. Side)

For R2 : M/s.Lakshmipriya



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ORDER

This Criminal Original Petition has been filed seeking police protection based on the representation given by the petitioner on 17.02.2023.

2.The petitioner wants to fence the property which was allotted in favour of the petitioner in the final decree passed in I.A.No.178 of 2017 in O.S.No.165 of 2010 on the file of Sub-Court, Tambaram, dated 18.11.2019. According to the petitioner, the private respondent is preventing the petitioner from fencing the property and causing threat. Hence, a representation was given to the respondent Police to give police protection to enable the petitioner to fence the property.

3.Learned Government Advocate (Crl. Side), on instructions, submitted that enquiry is pending in C.S.R.No.192 of 2023.

4.In the considered view of this Court, if there is already a final decree passed and the property has already been divided by metes and bounds, there is no question of anyone preventing the other from fencing the property that was allotted in the final decree. This shall be ensured by the respondent



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Police at the time of enquiry and the fencing of the property shall be done in line with the final decree passed by the Civil Court.

5.This Criminal Original Petition is disposed of in the above terms.

19.07.2023

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To

1.The Inspector of Police,
J9 Thoraipakkam Police Station,
No.2/231, C L Mehta Road,
Old Mahabalipuram Road,
Thoraipakkam, Chennai – 600 097.

2.The Public Prosecutor,
High Court, Madras.



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N. ANAND VENKATESH, J.
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