



CrI.O.P.No.9406 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.11.2023

Coram:

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.9406 of 2023

N.Rajesh Kanna

.. Petitioner

/versus/

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

2.The Deputy Superintendent of Police,
Vellore District, Vellore.

3.The Inspector of Police,
North Police Station, Vellore District,
Vellore.

4.S.Vinoth Kumar

5.Senthil Kumar

.. Respondents

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to direct the respondents to provide police protection to the petitioner's life and limb and his family members by considering the petitioner's representation dated 10.04.2023.

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For Petitioner :Mr.P.C.Harikumar
For R1 & R3 :Mr.S.Udaya Kumar, Govt Advocate (Crl.Side)
For R4 :Mr.P.Arumugavel
For R5 :Mr.Adithya Varadarajan

ORDER

This Criminal Original Petition has been filed to direct the respondents to provide police protection to the petitioner's life and limb and his family members by considering the petitioner's representation dated 10.04.2023.

2. Partition suit is pending in respect of the property bearing S.No.15/1C sub divided as 15/1C2 measuring to an extent of 48 cents and the neighbouring land in S.No.16/1 measuring to an extent of 2 cents. One G.N.Rajan Babu and Vinoth Kumar and other are the parties in the partition suit. The petitioner herein is the brother of G.N.Rajan Babu. Vinothkumar, who is one of the defendant in the suit has sold the property to the 5th respondent herein Senthil kumar. After the sale, there is an attempt to demolish the compound wall and take possession of the property, which he claims to be the possession of the petitioner Rajesh Kanna.



3. The learned counsel appearing for the petitioner states that even before purchase of the property from Vinoth Kumar by the 5th respondent, there was a dispute regarding construction of compound wall in the property and the same was reported to the police on 26.06.2022 in C.S.R.No.422 of 2022 and Vinoth Kumar gave an undertaking that he will not indulge in the act of vandalism and violence in future. However, he sold the property to the 5th respondent and he has alleged to the repeated act of vandalism.

4. From the averments of the representation made by the learned counsel for the 4th and 5th respondents, it appears that a civil dispute is pending and pending litigation, the 5th respondent has purchased the property from the 4th respondent and now, he trying to access over the property. The prayer in this petition is for police protection. The 3rd respondent police is directed to consider the representation of the petitioner and take necessary action to protect peace and tranquillity in the disputed area. The parties are directed to ascertain their possession through legal means by filing appropriate petition before the Civil Court where the suit for partition is pending.



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

03.11.2023

Index :Yes/No.

Internet :Yes/No.

Speaking Order/Non-Speaking Order
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Copy to:-

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

2.The Deputy Superintendent of Police,
Vellore District, Vellore.

3.The Inspector of Police,
North Police Station, Vellore District,
Vellore.

4.The Public Prosecutor, High Court, Madras.

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DR.G.JAYACHANDRAN, J.

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