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CRL.O.P.No.30255 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.30255 of 2022

R.Ravikumar

... Petitioner

Versus

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ariyalur District.

2.The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.

3.Ramachandran

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent police to provide police protection on the petitioner's representation dated 25.11.2022.

For Petitioner : No appearance

For Respondents-1 & 2 : Mr.A.Gokulakrishnan
Additional Public Prosecutor



CRL.O.P.No.30255 of 2022

ORDER

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This petition has been filed seeking a direction to the respondent Police to provide police protection on the petitioner's representation dated 25.11.2022.

2. The petitioner's property originally belonged to his father and during his lifetime, he executed a will in favour of the petitioner, his elder brother and his mother. The petitioner is employed in Chennai and he used to visit his native during week ends or on occasions. Taking advantage of the petitioner's employment in Chennai, his brother/third respondent along with his wife, sister and one Asaithambi entered into the petitioner's property and damaged the walls. Further locked the common motor room and not permitted the petitioner to enjoy his share of water. He was also assaulted and threatened by the said persons. Therefore, the petitioner lodged a complaint with the second respondent on 09.07.2022 in this regard. He has also forwarded the complaint through Online to the superior Police Officers. Since no action has been taken, the above petition has been filed.



3. Learned Additional Public Prosecutor appearing for the respondent

Police submits that the petitioner lodged a complaint against his brother and his wife, sister and yet another relative. The petitioner inherited 2 acres of family property and there was some dispute with regard to supply of water to his field from the common well and motor pump. Based on the petitioner's complaint, an enquiry was conducted on 11.07.2022. On that day, both the petitioner and third respondent along with family members appeared before the second respondent and during enquiry, it was agreed that the issue could be resolved between them, since the dispute is within the family. Further, the petitioner herein submitted a letter to not to take further action on his complaint dated 09.07.2022. Contrary to the letter as an afterthought, on 25.11.2022, the same complaint has been forwarded by way of Online complaint to the superior officers. After earlier compromise, no untoward incident happened. Hence, the complaint of the petitioner was closed on 11.07.2022. A copy of the undertaking letter given by both the petitioner as well as third respondent are also produced.

4. Considering the submissions and on a perusal of materials, it is seen that the petitioner lodged a complaint on 09.07.2022 and by 11.07.2022, the



CRL.O.P.No.30255 of 2022

issue got resolved. Further, the petitioner gave an undertaking not to further proceed on his complaint. The issue is for sharing of common well and motor pump. After the incident on 08.07.2022, there was no untoward incident and the agricultural activity is being continued by the petitioner and third respondent without any hindrance by each other.

5. In view of the above development, further complaint through Online dated 25.11.2022 is of no consequence. The issue between the petitioner and third respondent has been settled, who are non other than the brothers. In view of the same, no further action is required. Hence, this petition is dismissed.

13.06.2023

Index : Yes/No
Internet : Yes/No
rsi



CRL.O.P.No.30255 of 2022

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To

- 1.The Superintendent of Police,
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- 2.The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.
- 3.The Public Prosecutor,
High Court, Madras.



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CRL.O.P.No.30255 of 2022

M.NIRMAL KUMAR, J.

rsi

CRL.O.P.No.30255 of 2022

13.06.2023