



Crl.O.P.(MD)No.1753 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1753 of 2023

Alagu

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy.

2.The Deputy Superintendent of Police,
Manaparai Post and Taluk,
Trichy District.

3.The Inspector of Police,
Thuvarankuruchi Police Station,
Thuvarankuruchi Post,
Trichy District.

4.Ponnusamy

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to give appropriate protection to the petitioner's life and limb and his family members on the basis of the complaint dated 08.12.2022 sent by the petitioner by registered post to the respondents and investigate the same in accordance with law.



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For Petitioner : Mr.P.Ganapathi Subramanian
For R1 to R3 : Mr.SS.Madhavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the first respondent to give appropriate protection to the life and limb of the petitioner and his family members on the basis of the complaint given by the petitioner dated 08.12.2022 through registered post to the respondents and investigate the same in accordance with law.

2. The learned counsel appearing for the petitioner as well as the learned Government Advocate (Criminal Side) appearing for the respondents 1 to 3 would submit that earlier the fourth respondent has filed a writ petition in W.P.(MD)No.23724 of 2022 against the police officials and this Court vide order dated 15.11.2022 directed the police officials not to interfere with the peaceful possession of the petitioner therein/fourth respondent herein in respect of the agricultural land belonging to him.



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3. The learned counsel appearing for the petitioner would submit that one Ponnammal has filed a civil suit against the petitioner as well as the fourth respondent for partition and the same is pending.

4. The main contention of the petitioner is that the fourth respondent has been preventing the petitioner from entering into the property in dispute.

5. The remedy available to the petitioner is to approach the jurisdictional civil Court to get orders.

6. As of now, admittedly, there is no enforceable decree or order from the jurisdictional civil Court and as such, the granting of police protection does not arise at all. As of now, leaving open the petitioner's rights and remedies, this Criminal Original Petition is dismissed.

31.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



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K.MURALI SHANKAR,J.

csn

To

- 1.The Superintendent of Police,
Trichy.
- 2.The Deputy Superintendent of Police,
Manaparai Post and Taluk,
Trichy District.
- 3.The Inspector of Police,
Thuvrankuruchi Police Station,
Thuvrankuruchi Post,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.1753 of 2023

Dated: 31.01.2023