



Crl.O.P.(MD)No.1643 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1643 of 2023

K.Raja @ Palanisamy

... Petitioner

Vs.

1.The Superintendent of Police,
Office of Superintendent of Police,
Trichirappalli District,
Trichirappalli.

2.The Sub Inspector of Police,
Lalgudi Police Station,
Lalgudi,
Trichirappalli District.

3.S.Balan

4.B.Anbarashan

5.P.Sivakumar

6.S.Subbulakshmi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to direct the second respondent to give necessary police protection to the petitioner



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and his family members for their life and limbs by considering the petitioner's representation dated 14.01.2023 within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen
For R1 & R2 : 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 direct the second respondent to give necessary police protection to the petitioner and his family members for their life and limb by considering the petitioner's representation dated 14.01.2023 within the period stipulated by this Court.

2. The learned counsel appearing for the petitioner would submit that the third respondent has already filed a civil suit in O.S.No.109 of 2022, that in the plaint, they have purposely mentioned wrong survey number and that the petitioner has already filed a written statement and the case stands posted for trial. He would further submit that before filing of the suit, the property was measured.



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3. The police officials cannot decide whether the survey number was given mistakenly or not and whether the description of property given by the third respondent is correct or not. The petitioner can very well approach the concerned Court, where the suit is pending, to get necessary orders.

4. Admittedly, there is no enforceable decree or judgment 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.

30.01.2023

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

To

1. The Superintendent of Police,
Office of Superintendent of Police,
Trichirappalli District,
Trichirappalli.
2. The Sub Inspector of Police,
Lalgudi Police Station,
Lalgudi,
Trichirappalli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.1643 of 2023

Dated: 30.01.2023