



Crl.O.P.(MD) No.2291 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD) No.2291 of 2023

P.Arumugam,

: Petitioner

Vs

1. The Superintendent of Police,
Virudhunagar, Virudhunagar District

2. The Deputy Superintendent Of Police,
Tiruchuli, Virudhunagar District

3. The Inspector of Police,
Narikudi Police Station,
Virudhunagar District

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to issue a direction to directing the respondents to take necessary action by providing Police Protection to the life and limb of the petitioner and his wife based on the complaint dated 18.01.2023.



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For Petitioner : Mr.F.Deepak
For Respondents : Mr.S.S.Madhavan
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking a direction to the respondents to take necessary action by providing Police Protection to the life and limb of the petitioner and his wife based on the complaint dated 18.01.2023.

2.The learned Counsel appearing for the petitioner would submit that the petitioner has filed a suit for partition and obtained preliminary decree; that subsequently final decree was passed allotting particular property to the petitioner; that since the same was not handed over, the petitioner was constrained to lay an execution petition in E.P.No.31 of 2013 and that he had taken possession through Court on 23.08.2017. He would further submit that now the adjoining owners are not allowing the petitioner to cultivate the land.

3.The learned Government Advocate(Crl.Side) would submit that now the petitioner has given a representation against the adjoining owners and not against the original defendants in the suit.



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4.Considering the above, it is clear that there exists some property dispute between the parties. Admittedly, the petitioner is not having any enforceable decree or order from the competent civil Court and as such, the granting of police protection does not arise at all. As of now, leaving open the petitioners' rights and remedies, this Criminal Original Petition is dismissed.

06.02.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
lr

To

1. The Superintendent of Police,
Virudhunagar, Virudhunagar District
2. The Deputy Superintendent Of Police,
Tiruchuli, Virudhunagar District
3. The Inspector of Police,
Narikudi Police Station,
Virudhunagar District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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K.MURALI SHANKAR, J.

lr

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