



Crl.O.P.(MD)No.4068 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.4068 of 2023

Periya Muppidathi @ Muppidathi

... Petitioner

Vs.

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

2.The Inspector of Police,
Taluk Police Station,
Sankarankovil, Tenkasi District.

3.Sridharan Potthi

4.Chinna Karuppasamy

5.Natarajan

6.Chandra

7.Madasamy

8.Mariyammal

9.Rasammal

10.Chinnammal

11.Ilango

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent to provide



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police protection to the life and limb of the petitioner and his family members from the respondents 3 to 11.

For Petitioner : Mr.R.Murugappan,
for Mr.M.P.Balamurugan.

For R1 & R2 : Mr.S.S.Madhavan,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to direct the second respondent to provide police protection to the life and limb of the petitioner and his family members from the respondents 3 to 11.

2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the petitioner has sent a complaint to the respondents 1 and 2 through registered post.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that they have not received any complaint from the petitioner and that the compliant given by the petitioner to the



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Superintendent of Police was forwarded to the second respondent and the same is pending in current paper.

4. Considering the submission made by both sides, it appears that there existed property dispute between the petitioner and the private respondents and the remedy available is only before the competent Civil Court.

5. Admittedly, there is no enforceable decree or order from the jurisdictional civil Court and as such, granting of police protection does not arise at all. But at the same time, the petitioner is at liberty to lodge a complaint with respect to the alleged occurrence and on receipt of such complaint, the second respondent is directed to conduct enquiry by following the dictum laid down in the case of ***Lalita Kumari Vs. Government of Uttar Pradesh and Others*** reported in ***(2014) 2 SCC 1*** and pass orders in accordance with law within a period of one week from the date of compliant.



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

03.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Superintendent of Police,
Tenkasi District, Tenkasi.
- 2.The Inspector of Police,
Taluk Police Station,
Sankarankovil, Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.4068 of 2023

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