



CRL.O.P.(MD)No.6103 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.6103 of 2023

P.Karuppaiah

... Petitioner

Vs

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

2.The Sub-Inspector of Police,
Odaipatti Police Station, Odaipatti,
Uthamapalayam Taluk, Theni District.

3.K.Baskaran

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, directing the respondents 1 and 2, especially the second respondent to provide police protection to the life and limb of the petitioner and his family members by considering the petitioner's complaint dated 24.03.2023.

For Petitioner : Mr.K.Guhan

For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

For R-3 : Mr.K.Safar Badhusha



CRL.O.P.(MD)No.6103 of 2023

WEB COPY

ORDER

This Criminal Original Petition is filed seeking for protection from the police to the petitioner as it is alleged that the respondent No.3 is obstructing the petitioner from maintaining the wall belonging to him.

2. Learned counsel for the petitioner submits that as per the decree passed in O.S.No.377 of 1990, the petitioner intended to maintain the wall belonging to him, for which, respondent No.3 is raising objections. Learned counsel for the third respondent objects his submissions stating that the petitioner has constructed up to the edge of his site and in order to maintain the wall, the petitioner has to necessarily enter into the land belonging to the third respondent, thereby, according to him, it amounts to violation of the decree passed in favour of the petitioner himself.

3. Learned Government Advocate (Criminal Side) submits that the police has not received any petition from the petitioner seeking police protection. The petitioner is, therefore, directed to file fresh application before the Police and on which, the respondents 1 and 2 are directed to closely examine the issue and provide police protection only, in case, if the petitioner's request for maintenance of wall within the decree passed in O.S.No.377 of



CRL.O.P.(MD)No.6103 of 2023

1990. The police is further requested to give notice to the third respondent and take a decision after hearing of him.

4. With the above observation, this Criminal Original Petition stands disposed of.

11.07.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

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

2.The Sub-Inspector of Police,
Odaipatti Police Station, Odaipatti,
Uthamapalayam Taluk, Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL.O.P.(MD)No.6103 of 2023

DR.D.NAGARJUN, J.

tsg

CRL.O.P.(MD)No.6103 of 2023

11.07.2023