



Crl.O.P.(MD).No.7789 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:04.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

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S.Venkatprabhu

... Petitioner

Vs.

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Theni District, Theni.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Theni District, Theni.
- 3.The Inspector of Police,
Theni Police Station,
Theni District, Theni.

4.Shanthi

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct R1 and R2 to provide adequate police protection to life and limb of the petitioner to function his hospital namely Sri Sairam Hospital situated at Old G.H.Road, Theni, in the light of the order of the Honble Apex Court in SLP(C)No.13057/2022.



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For Petitioner : Mr.T.Thirumurugan
For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate
(Crl.side)

ORDER

This criminal original petition has been filed seeking direction to the respondents 1 and 2 to provide adequate police protection to life and limb of the petitioner to function his hospital namely Sri Sairam Hospital situated at Old G.H.Road, Theni.

2.The petitioner is a doctor by profession. The marriage between himself and second respondent took place on 07.06.1998. The dispute arose between them over some difference of opinion. Because of the harassment made by the fourth respondent, the petitioner started a new hospital in Theni, called Sri Sai Ram Hospital on rental basis. Later, he purchased the very same property and continued the profession also by investing huge money. On 20.12.2020, the fourth respondent along with their hench men and family members illegally entered into the hospital and threatened the petitioner to evict the same. So he filed a suit in O.S.No.83 of 2021 before the learned Additional District Judge, Theni, seeking permanent injunction. Ad-interim injunction was also granted in



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I.A.No.4 of 2021.

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3.Against which C.M.A.(MD).No.353 of 2022 was filed and that was allowed. Against which SLP was preferred by this petitioner before the honourable Supreme Court in SLP(C)No.13057 of 2022 and interim order was passed in that matter.

4.In spite of the order passed by the Supreme Court, the fourth respondents and others are making disturbances and trouble in enjoying the property. So he made a representation dated 06.09.2022 seeking police protection to run the hospital. Since it is not considered, this petition is filed.

5.When the matter was taken up for hearing, at the request made by the wife namely the fourth respondent herein, the matter was referred to the Mediation Centre. But, no settlement could be arrived between the parties. According to the counsel for the petitioner, the reason for non settlement is because of the adamant attitude of the fourth respondent. The fourth respondent's counsel would submit that this petitioner married



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some other girl and want to live in the very same hospital premises. Now, whatever it may be when the matter is seized by the Honourable Supreme Court, no more discussion can be made in this matter.

6.Let the above said representation be disposed of by the respondent herein, within a period of one week from the date of receipt of a copy of this order, by summoning the parties as well as counter parties and after ascertaining the ground situation.

7.With the above said directions, this criminal original petition stands disposed of.

04.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM
To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Theni District, Theni.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Theni District, Theni.



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3.The Inspector of Police,
Theni Police Station,
Theni District, Theni.

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



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G.ILANGOVAN,J.

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