



Crl.O.P.(MD) No.9686 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.9686 of 2023

1. John Peter

2. Marry Roselet

3. J.Kevin Peter

... Petitioners

Vs

1. The Commissioner of Police,
Kanyakumari, Kanyakumari District.

2. The Superintendent of Police,
Kanyakumari, Kanyakumari District.

3. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.

4. Snehapoo

5. Lazer

6. T.Justin Raj

7. T.Sunder Singh



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8. T.Ashok Darwin

... Respondents

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PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court directing the third respondent not to harass the petitioners under the guise of enquiry and pass such further or other orders.

For Petitioners : M/s.Sargunam B,

For R1 to R3 : Mr.R.Suresh Kumar,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, during the pendency of suit in O.S.No.90 of 2021, on the file of Additional District Munsif Court, Padmanabhapuram, this petition has been filed seeking police protection on the ground that private respondents blocked the pathway. On the basis of complaint given by the private respondents, the third respondent has made harassment to the petitioners. Hence, this petition.

2.The private respondents had also filed a petition in W.P(MD)No.23631 of 2022 and this Court dismissed the same by order, dated 15.11.2022 and subsequently observed that the Civil Court has seized the



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matter and the writ petition is not maintainable.

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3.It is further stated that on the basis of the complaint and counter complaint given by the parties, Cr.Nos.145 of 2023 and 368 of 2023 had been registered against each other and investigation is also pending in these petitions.

4.Since the suit is pending, there is a continuous trouble between the parties, over the pathway dispute. In view of the above facts, this Court is not inclined to grant police protection to either parties. However, if any representation is made before the third respondent, he shall advise them to work out their remedy in the pending civil suit itself.

5.With the above directions, this Criminal Original Petition stands disposed of.

30.06.2023

NCS:Yes/No
Internet:Yes/No
Index:Yes/No
PNM

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To

1. The Commissioner of Police,
Kanyakumari, Kanyakumari District.
2. The Superintendent of Police,
Kanyakumari, Kanyakumari District.
3. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN, J.

PNM

ORDER IN
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