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Crl.O.P.(MD)No.13046 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.13046 of 2023

C.Natarajan

... Petitioner

Vs.

1.The Superintendent of Police,
Trichirapalli District,
Trichy.

2.The Inspector of Police,
Geeyapuram Police Station,
Trichy District.

3.Lakshmanan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent to provide adequate police protection to the life and limb of the petitioner and his family members.

For Petitioner : Mr.N.Marimuthu

For Respondent : Mr.Thanga Aravindh
Government Advocate (Crl.Side)



ORDER

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This Criminal Original Petition is filed seeking for a direction to the second respondent Police to provide adequate police protection to the petitioner.

2. It is submitted by the learned counsel appearing for the petitioner that he has been in possession and enjoyment of the property in Natham S.No.253, New S.No.362/7 situated at Pulivalam Village, Trichy. The third respondent has filed O.S.No.417 of 2017 on the file of the learned Additional District Munsif Court, Trichy, seeking for injunction against the petitioner. The petitioner as the defendant has filed counter claim seeking injunction against the third respondent. The said suit was dismissed and the counter claim filed by the petitioner was decreed granting injunction in favour of the petitioner. It is submitted that when the petitioner intends to fence the land, the third respondent and others have raised objections. Therefore, he sought for police protection.

3. The learned Government Advocate (Criminal side) appearing for the respondents 1 and 2 Police submits that on a representation given by the petitioner, both the petitioner and the third respondent were called and after full-fledged the enquiry, both the parties have given an



undertaking in writing that they will approach the Revenue Authorities for measuring the land and they will abide the outcome of the report of the Surveyor and accordingly, the representation given before the respondents Police was closed.

4. Once there is a dispute between the petitioner and the third respondent in respect of boundaries, the police protection cannot be directed to be given to the petitioner. Once the boundaries have been fixed, the petitioner will be at liberty to fence his land and at the time, if the third respondent creates any disturbance, the petitioner may approach this Court for appropriate directions.

5. Accordingly, this Criminal Original Petition is disposed of.

20.07.2023

Index : Yes/No
Internet : Yes/No
ssb

To

1.The Superintendent of Police,
Trichirapalli District,



CrI.O.P.(MD)No.13046 of 2023

Trichy.

- 2.The Inspector of Police,
Geeyapuram Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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