



CRL.O.P.(MD)No.13969 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.13969 of 2023

Sahaya Anibala

... Petitioner

Vs

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

3.John Jelastin Charles

4.Mariya Sebastian

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the second respondent to give police protection to the life and limb of the petitioner and her family members on the basis of the complaint given by the petitioner dated 01.07.2023.

For Petitioner : Mr.S.Ramasamy

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



CRL.O.P.(MD)No.13969 of 2023

ORDER

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This petition is filed under Section 482 of Cr.P.C. seeking for police protection from the unofficial respondents.

2. It is submitted by the learned counsel for the petitioner that thirty cents of land belonging to respondent No.4, was sold to the petitioner in the year 2016. subsequently, respondent No.3, who is the son of respondent No.4, had approached the petitioner and demanded to reconvey the same, but the petitioner has refused. Respondent Nos.3 and 4 have filed O.S.No.167 of 2021 on the file of the Sub Court, Padmanabapuram, seeking injunction against the petitioner and the said suit was dismissed. It is submitted by the learned counsel for the petitioner that having exhausted all the remedies, trying to intervene into the property and thereby, the police protection is sought for.

3. Learned Government Advocate (Criminal Side) on the other hand, submits that in respect of a complaint given against respondent Nos.3 and 4 by the petitioner, an enquiry was conducted in C.S.R.No.921 of 2023, wherein, the petitioner and unofficial respondent Nos.3 and 4 have also appeared and the respondent Police have warned respondent Nos.3 and 4 seriously and both of them have given an undertaking that they will not intervene into the property belonging to the petitioner and also has given an



CRL.O.P.(MD)No.13969 of 2023

undertaking that if they have got any grievance, they would approach the appropriate Civil Court. It is also submitted by learned Government Advocate (Criminal Side) that having satisfied with the enquiry, the petitioner has also given a petition in writing and withdrawing the request for Police protection.

4. Once enquiry has already been conducted and the petitioner has withdrawn her request for police protection, no further orders can be passed in this petition.

5. Accordingly, this Criminal Original Petition is dismissed.

07.08.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

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



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CRL.O.P.(MD)No.13969 of 2023

DR.D.NAGARJUN, J.

tsg

CRL.O.P.(MD)No.13969 of 2023

07.08.2023