



Crl.O.P.(MD) No.15053 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2023

CORAM:

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

Crl.O.P.(MD) No.15053 of 2023

Pitchammal

... Petitioner

Vs.

- 1.The Superintendent of Police,
Collectorate Campus,
Dindigul District, Dindigul.
- 2.The Deputy Superintendent of Police,
Dindigul Rural Sub-Division,
Collectorate Campus, Dindigul District.
- 3.The Inspector of Police,
Natham Police Station,
Dindigul District.
- 4.Ponnalagu
- 5.Saravanan
- 6.Krishnaveni
- 7.Malaisamy
- 8.Seethalakshmi
- 9.Selvi

..Respondents



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the 1 to 3 to provide adequate police protection to the life and limb of the Petitioner and her family members for peaceful possession and enjoyment of the property comprised in S.No.557/2 and 557/3 in Separate Patta No.3360 at Sathampady Village, Natham Taluk, Dindigul District.

For Petitioner	:Mr.M.Vivek Bharathi
For R1 to R3	:Mr.B.Thanga Aravindh Government Advocate (crl.side)
For R4 to R9	:Mr.V.Karuna

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking for a direction to the respondent police to provide protection to the life and limb of the property of the petitioner in S.Nos.557/2 and 557/3 situated at Sathampady Village, Natham Taluk, Dindigul District.

2.According to the learned counsel for the petitioner, the petitioner has purchased the property in S.Nos.557/2 to an extent of H.A.0.7.50 in cent 18½ and 557/3 to an extent of H.A.0.02.00 in cent 5 at Sathampady Village under a registered sale deed from its original owner. The unofficial respondent Nos.4 to 9,



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who are no way concern, are trying to disposes the petitioner, on which a complaint is filed before the police, however no action has been initiated.

3.It is submitted that earlier when similar situation happened, the police have registered a case in CC.No.193 of 2023 for the offences punishable under Sections 323 and 324 IPC and the unofficial respondent Nos.4 to 9 appeared before the Court and admitted the offence and they were imposed fine by the concerned Court and even after that, according to the petitioner, the unofficial respondent Nos.4 to 9 are making an attempt to trespass and disposes the petitioner.

4.The learned Government Advocate (Crl.side) on the other hand submits that the respondent police have not received any complaint in writing duly signed by the petitioner and the police have received a copy of the online complaint without the signature of the petitioner. It is submitted further that in case if the application is filed in person, the police will consider and dispose of the same as per law.



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5.Considering the submissions made by the learned counsel on either side and on perusal of the records, it is found that the dispute between the petitioner and the unofficial respondent Nos.4 to 9 is purely civil in nature and in case if any offence is committed or about to be committed, certainly the police will intervene. Even according to the petitioner, since there is no dispute in respect of title, the unofficial respondent Nos.4 to 9 are intervening and trying to dispose the petitioner, the petitioner should have approached the appropriate civil Court and file a suit seeking injunction. In any case, the petitioner still feels that if any offence is committed or about to be committed by the unofficial respondent Nos.4 to 9, she is at liberty to approach the respondent police, on which the respondent police are directed to consider and dispose of the same as per law, as quickly as possible.

6.With the above directions, this Petition is disposed of.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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- 2.The Deputy Superintendent of Police,
Dindigul Rural Sub-Division,
Collectorate Campus, Dindigul District.
- 3.The Inspector of Police,
Natham Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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