



CrI.O.P.(MD) No.15749 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.15749 of 2023

Balasubramanian

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy District.

2.The Deputy Superintendent of Police,
Lalgudi,
Trichy.

3.The Inspector of Police,
Lalgudi Police Station,
Trichy District.

4.K.Pankajavalli

5.K.Murugavel

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the police to provide protection and safety to the petitioner's property located at S.F.No.59/1B (Old No.131/1B) measuring Acre 0.43 Cent, Pinnavasal Village, Lalgudi Taluk, Tiruchirappalli District, Tamil Nadu, irrespective of any



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political or muscle influence.

For Petitioner :Mr.B.Karthikeyan

For Respondents :Mr.SS.Madhavan
Government Advocate (Crl.Side) for R.1 to R.3

Mr.S.M.Kavin Prince for R.4 & R.5

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking protection to the petitioner to implement the interim injunction order.

2.It is submitted by the learned counsel for the petitioner that the petitioner has filed O.S.No.235 of 2023 against the unofficial respondent Nos.4 and 5 on the file of the learned Principal District Munsif, Lalgudi and on considering the documents filed, the learned Magistrate has passed orders on 04.08.2023 granting ad-interim injunction restraining the respondent Nos.4 and 5 from interfering with the schedule of properties therein. It is submitted further that in spite of granting of interim orders, the respondent No.3 police are trying to interfere and therefore,



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the petitioner has filed an application before the respondent police. However, no action has been taken. Therefore, sought for suitable directions.

3.The learned counsel appearing for the respondent Nos.4 and 5 would submit that the petitioner has filed the suit for injunction and not for recovery of possession and the respondent Nos.4 and 5 are in possession of the property and if the police are given the protection to the petitioner, the respondent Nos.4 and 5 will disposes the petitioner.

4.Learned counsel for the respondent Nos.4 and 5 failed to explain as to why an attempt is not made to vacate the interim orders. As long as the interim injunction orders are in force in respect of the schedule of property, the police are bound to protect the said orders by providing necessary protection. Therefore, the police are directed to go through the records and verify whether the protection sought for by the petitioner against the unofficial respondent Nos.4 and 5 in respect of schedule of property in O.S.No.235 of 2023 is still in force and if the interim injunction order is in force, the respondent police are directed to consider the representation of the petitioner to provide necessary protection to him.



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5. 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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To

1. The Superintendent of Police,
Trichy District.
2. The Deputy Superintendent of Police,
Lalgudi,
Trichy.
3. The Inspector of Police,
Lalgudi Police Station,
Trichy 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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