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Crl.O.P.(MD)No.17398 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.10.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.17398 of 2023

R.Shantha

... Petitioner

Vs.

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai.
- 2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Avaniapuram, Madurai City.
- 3.The Inspector of Police,
Avaniapuram Police Station,
Madurai City.

4.Seenimohamed

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue direction to the respondents 1 to 3 herein to provide adequate police protection to the petitioner for removing the gate laid by the fourth respondent and their henchmen, by obstructing the common pathway situated in S.No.390/11 situated at Ayyan Pappakudi Village,



Madurai South Taluk, Madurai District, on the basis of the petitioner's representation dated 25.08.2023.

For petitioner : Mr.C.Gangai Amaran

For Respondents : Mr.M.Vaikkam Karunanithi
1 to 3 Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking direction to the respondents 1 to 3 herein to provide adequate police protection to the petitioner for removing the gate laid by the fourth respondent and their henchmen, by obstructing the common pathway situated in S.No.390/11 situated at Ayyan Pappakudi Village, Madurai South Taluk, Madurai District, on the basis of the petitioner's representation dated 25.08.2023.

2.The grievance of the petitioner is that when a trouble was made by the private respondent, he made a representations seeking police protection on 19.04.2023 and 27.04.2023 and that were not complied by the respondent Police. He filed a petition in Crl.O.P.(MD).No.9916 of 2023 before this Court and that was considered and direction was issued to the official respondent to conduct the enquiry on the representation and complete the same within a week.



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3.Today, the Investigating officer is present before this Court and now stated that summon was issued to the petitioner and he appeared and produced documents stating that he is the owner of the property, whereas the counter party did not appear but through phone, he stated that they are also having documents to show that they are also owner of the disputed property. On that ground, the above said enquiry is kept pending. In fact, the petitioner earlier filed a suit in O.S.No.103 of 2021 before the District Munsif Court, Madurai, but later it was withdrawn for unknown reason. But now stated that on that ground no trouble was made by the private respondent, during the pendency of the above said suit.

4.Since it is a civil dispute, the parties are advised to workout their remedies through appropriate civil process.

5.With the above said observations, this criminal original petition stands dismissed.

12.10.2023

NCC : Yes / No

Index : Yes/No

Internet : Yes/No



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To

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- 2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Avaniapuram, Madurai City.
- 3.The Inspector of Police,
Avaniapuram Police Station,
Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN. J.

vsg

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