



CrI.O.P.(MD) No.17469 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.09.2023**

CORAM:

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

CrI.O.P.(MD)No.17469 of 2023

Tamilarasi

... Petitioner

Vs.

- 1.The Superintendent of Police,
O/o. the Superintendent of Police,
Tenkasi District.
- 2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.
- 3.The Sub Inspector of Police,
Thiruvengadam Police Station,
Thiruvengadam,
Tenkasi District.
- 4.Selvaraj
- 5.Muthulakshmi

..Respondents



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent No.2 and 3 to provide adequate police protection to the petitioner and her family members's life and limb based on the petitioner's complaint dated 23.09.2023 and 25.09.2023.

For Petitioner :Mr.P.Ponraj

For R1 to R3 :Mr.B.Thanga Aravindh
Government Advocate (Criminal.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking protection to the petitioner and her family members's life and limb based on the petitioner's complaint dated 23.09.2023 and 25.09.2023. .

2.It is submitted by the learned counsel that the petitioner has purchased the land in the year 2005 under a registered sale deed Doc.No.1725/2005 dated 21.11.2005. However, the unofficial respondent Nos.4 and 5, who are the own brothers, have been insisting the petitioner to sell the land, for which the petitioner was not interested. It is submitted further that on 23.09.2023, the

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petitioner has given a complaint to the police stating that he was beaten up by the unofficial respondent Nos.4 and 5 and was admitted in the hospital for 3 days and in spite of that, the respondent police have not taken any action, thereby sought for police protection.

3.The learned Government Advocate (Crl.side) submits that the representation of the petitioner was registered as CSR.no.558 of 2023 and the same was enquired into and the petitioner appeared before the police. It is submitted that the dispute between the parties is in respect of the property and that they will resolve the same outside the Court by going to the civil Court and accordingly, the respondent police stated to have closed CSR.No.558 of 2023.

4.The issue between the petitioner and the unofficial respondent Nos.4 and 5 appears to be civil in nature. Since the cognizable offence appears to have been committed, since the police have closed CSR.No.558 of 2023, as there is no cognizable offence, the petitioner should have gone to the criminal Court and filed an application under Section 156(3) Cr.P.C., by following due process of law. Since the respondent police have already closed CSR.No.558 of 2023, no



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further orders can be passed for directing the police to provide protection.

Accordingly, this Petition is closed.

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

29.09.2023

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To

- 1.The Superintendent of Police,
O/o. the Superintendent of Police,
Tenkasi District.
- 2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.
- 3.The Sub Inspector of Police,
Thiruvengadam Police Station,
Thiruvengadam,
Tenkasi 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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