



Crl.O.P.(MD).No.21537 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:30.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.21537 of 2023

Annadurai

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai,
Sivagangai District.

2.The Inspector of Police,
Devakottai Police Station,
Devakottai,
Sivagangai District.

3.Naganathan

4.Shanmuga Mani

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the respondents to provide adequate police protection to the petitioner on the basis of the representation dated 20.11.2023 within the time stipulated by this Court.



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For Petitioner : Mr.C.Jeganathan
For R1 & R2 : Mr.R.M.Anbunithi
Addl.Public Prosecutor (Crl.side)

ORDER

This Criminal Original Petition is filed to direct the respondents to provide adequate police protection to the petitioner on the basis of the representation dated 20.11.2023 within the time stipulated by this Court.

2. Seeking police protection to continue in the poojariship in the temple called Arulmighu Sudalaimadasamy and Manjanai Petchiamman Thirukkivil, Eravuseri, Sivagangai District, the petitioner made a representation dated 20.11.2023, on the strength of the order passed by this Court in W.P.(MD)No.18559 of 2023 and W.M.P(MD)No.15392 of 2023, on the ground that his own brother namely the fourth respondent, in collusion with the third respondent/ trustee, making trouble. It is also submitted that the third and fourth respondents filed vacate stay petitions before the Hon'ble Division Bench of this Court. Since trouble was made by respondents 3 and 4, the petitioner filed contempt petition. A



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contempt notice has been issued against them and now they are going to pursue the matter.

3. Learned Additional Public Prosecutor submitted that because of the frequent trouble between the petitioner and the private respondents, recommendation was made to initiate proceedings under Section 107 of Cr.P.C.

4. In view of the factual circumstances stated above, it may not be appropriate on the part of the second respondent to interfere with the issue. On such opinion expressed by this Court, learned Additional Public Prosecutor submitted that the parties appeared before the Tahsildar and an understanding was reached between them to perform the pooja. Now they are making allegation that only at the instigation of the second respondent, the compromise was alleged to have entered into between them.

5. The above said statement of the petitioner cannot be taken into consideration at this stage. The parties shall work out remedy in the



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pending contempt proceedings itself. There is no question of granting police protection to either one of the parties. Pending above said matter, it may not be proper on the part of this Court to pass any orders in this matter.

6. With the above said liberty, this Criminal Original Petition is disposed of.

30.11.2023

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

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To

- 1.The Superintendent of Police, Sivagangai, Sivagangai District.
- 2.The Inspector of Police, Devakottai Police Station,
Devakottai, Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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