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CrI.O.P.No.9287 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.9287 of 2024

Mrs.Bhavika Jain,
D/o.Mohan Kumar,
Rep. by her Power of Attorney Mr.Purushothaman,
No.9, Main Road, Sowbarniga Garden,
Ariyankuppam, Pondicherry – 605 007.

... Petitioner

/versus/

1. The Senior Superintendent of Police,
Law and Order,
Government of Puducherry,
Puducherry.
2. The Superintendent of Police,
South Region,
Government of Puducherry,
Puducherry.
3. The Station House Officer,
Kirumambakkam Police Station,
Puducherry.
4. Mr.K.I.Manirathinem,
S/o.Iyyakkannu,
Managing Director,
M/s.Navasakthi Townships Developers Private Ltd.,
residing at No.216, Anugraha Satellite Township,
ECR Periyakattupalayam, Cuddalore District.



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5. Mrs.Usha,
W/o.Manirathinem,
Managing Director,
M/s.Navasakthi Townships Developers Private Ltd.,
residing at No.216, Anugraha Satellite Township,
ECR Periyakattupalayam, Cuddalore District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 to 3 to give adequate police protection provided to the petitioner based on the representation dated 26.03.2024 in accordance with law.

For Petitioner : Mr.M.Magesh

For Respondents : Mr.K.S.Mohandass,
Public Prosecutor (Pondicherry).

ORDER

This Criminal Original Petition is filed to direct the respondents 1 to 3 to give adequate police protection to the petitioner based on the representation dated 26.03.2024 in accordance with law.

2. The petitioner herein claims to be the owner of the property alleging that the 4th and 5th respondents who are powerful persons with political background preventing him from putting up constructions and hence, seeks for police protection.



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3. The Learned Public Prosecutor (Puducherry) appearing for the respondents/Union Territory of Puducherry states that the petitioner herein has sent a complaint through registered post and even before that they have received another complaint from the respondents against this petitioner but both of them have not participated in the enquiry in spite of summons issued under Section 41 of Cr.P.C.

4. This Court is of the view that there is some title dispute regarding the property and after lodging the complaint, the petitioner has not participated in the enquiry. If the petitioner participates in the enquiry in response to the summons and any necessity to provide police protection arises, the respondent police shall act in accordance with law and provide police protection.

5. Recording the same, this ***Criminal Original Petition is disposed of.***

17.04.2024

Index : Yes/No.
Neutral Citation : Yes/No.
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DR.G.JAYACHANDRAN,J.

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3. The Station House Officer,
Kirumambakkam Police Station,
Puducherry.
4. The Public Prosecutor (Pondicherry), High Court of Madras, Chennai.

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