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CrI.O.P.No.10344 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.10344 of 2024

R.Thiyagarajan

... Petitioner

Vs.

1.The State Rep.by
The Superintendent of Police,
Cuddalore District,
Cuddalore.

2.The Inspector of Police
Annamalai Nagar Police Station,
Annamalai Nagar, Chidambaram Taluk,
Cuddalore District.

3.M.Muthuraman

4.Vijaya

Respondents

...

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the respondents 1 & 2 police to give adequate police protection to the petitioner in so far relate to land situated at S.Nos.102/5, 105/5 and 106/1, Keezhathirukazhipalai Village, Chidambaram Taluk, Cuddalore District.

For Petitioner : Mr.C.Prakasam

For R1 & R2 : Mr.S.Udayakumar
Government Advocate (CrI.Side)



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ORDER

The petitioner herein claiming to be the purchaser of the land in S.Nos.102/5, 105/5 and 106/1, Keezhathirukazhipalai Village, Chidambaram Taluk, Cuddalore District, seeks police protection for harvesting the standing crops.

2. The learned Government Advocate (CrI.Side) appearing for the respondent police states that there is a civil dispute between the petitioner who is the purchaser and the lessee of the land who is alleged to have cultivated the field. Instead of approach the civil Court, where the case is pending seeking appropriate remedy, the petitioner has approached the police seeking protection, which the police is unable to provide protection due to pendency of the dispute over the title.

3. This Court after considering the submission and perusing the records finds that the petitioner ought to have approach the civil Court where the case is pending for necessary relief either appointing Advocate Commissioner to harvest or the receiver to harvest the paddy and for the Court to decide who cultivated the field. Instead want to give a criminal colour to the civil dispute by invoking Section 482 of Cr.P.C.,



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this Court is of the view that this petition is frivolous one and abuse of the legal process. Hence this Criminal Original Petition is dismissed with liberty to approach appropriate Court.

29.04.2024

Index : Yes/No

Neutral Citation : Yes/No

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To

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

2.The Inspector of Police
Annamalai Nagar Police Station,
Annamalai Nagar, Chidambaram Taluk,
Cuddalore District.

2.The Public Prosecutor,
High Court of Madras, Chennai-600 104.

Dr.G.JAYACHANDRAN,J.



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