



Crl.O.P.(MD)No.1953 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)No.1953 of 2023

A.Muruganantham

... Petitioner

vs.

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

2.The Deputy Superintendent of Police,
Thiruppathur,
Sivagangai District.

3.The Inspector of Police,
S.B.Mangalam Police Station,
Sivagangai District.

4.Manimuthu

... Respondents

Prayer:- Petition filed under Section 482 of Code of Cr.P.C., to direct the respondents to give police protection to the life and limb of the petitioner and his family members, whenever necessary based on the petitioner's representation, dated on 20.12.2022.

For Petitioner : No Appearance

For Respondents : Mrs.M.Aasha

Government Advocate (Crl.Side) for R1 to R3

Mr.T.Veerakumar for R4



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ORDER

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This petition is filed to direct the respondents to give police protection to the life and limb of the petitioner and his family members, based on the petitioner's representation, dated on 20.12.20222.

2. The learned counsel for the petitioner submits that he has given a change of vakalat, and the same is recorded.

3. It is seen that no other counsel has entered in appearance, and the petitioner has also not appeared in person.

4. It can be seen that the petitioner is seeking police protection for his life and limb on the ground that when he wanted to survey the lands belonging to him, he had been threatened by the respondent.

5. The learned Government Advocate (Crl.Side) for the respondents 1 to 3 would submit that the representation given by the petitioner has been enquired and has been closed as 'civil in nature'.



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6. The learned counsel on behalf of the private respondent would submit that it is actually a common pathway. The petitioner is trying to encroach upon the private respondent's land on the basis of a defective FMB sketch. Therefore, when there is a civil dispute between the parties, it is for the parties to approach the civil court, and if only there is any order / decree of the civil court, the police can give appropriate protection. When the title or the documents are disputed, the police cannot give protection straight away, in the absence of any civil Court order.

7. With such liberty preserved to the petitioner to approach the respondent police after obtaining such order /decree of the Civil Court, this Criminal Original Petition stands disposed of.

11.09.2024

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



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D.BHARATHA CHAKRAVARTHY, J.

dss

To

- 1.The superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Thiruppathur,
Sivagangai District.
- 3.The Inspector of Police,
S.B.Mangalam Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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