



Crl.O.P.(MD)No.5119 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

[Crl.O.P.\(MD\)No.5119 of 2024](#)

S.Vijaya

.. Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Andipatti,
Theni District.

3.The Inspector of Police,
Rajathani Police Station,
Theni District.

4.Mayan
5.Murugan
6.Prabaharan

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 to 3 herein to provide police protection to the petitioner's life and limb from the hands of the respondent No.4 to 6 on the basis of the complaint dated 22.09.2023.



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For Petitioner : Mr.C.Senthil Murugan
For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate(Crl.side)

ORDER

Seeking police protection, the petitioner has approached this Court.

2.The learned counsel for the petitioner submits that the petitioner is owning a property in S.No.12/2A, Rajathani Village, Andipatti Taluk, Theni District. The respondents 4 to 6 have trespassed into the petitioner's property and disturbed the petitioner's possession. Therefore, the petitioner has already filed Criminal Original Petition in Crl.OP(MD) No.9452 of 2020, seeking police protection. This Court has directed the respondent police to conduct an enquiry. During the enquiry, the respondents 4 to 6 have given an undertaking that they will not trespass into the petitioner's property. Thereafter, the private respondents have created a fabricated document for the petitioner's property and when the same was questioned by the petitioner, the private respondents have threatened the petitioner. Hence, the petitioner is before this Court.



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3.Considering the fact that the issue involved in this petition is civil in nature, this Court is not inclined to entertain this Criminal Original Petition. The Petitioner is at liberty to establish his right over the property before the appropriate civil Court. With such liberty, this Criminal Original Petition is dismissed.

02.04.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

vrn

To

- 1.The Superintendent of Police,
Theni,
Theni District.
- 2.The Deputy Superintendent of Police,
Andipatti,
Theni District.
- 3.The Inspector of Police,
Rajathani Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
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