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CrI.O.P.(MD) No.3060 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.3060 of 2024

1.M.Anish Fathima
2.M.Basheer

...Petitioners

VS

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

2.The Inspector of Police,
Natham Police Station,
Dindigul District.

3.Veeramathali Sathiyavan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the first Respondent not to harass or ill treat the Petitioners or their family members in connection with the alleged complaint given by one Veeramahali Sathiyavan (3rd Respondent).

For Petitioners	: Mr.M.Rajaraman
For R1 and R2	: Mr.M.Veeranthrian Government Advocate (crl.side)
For R3	:Mr.A.P.Athithan



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ORDER

The Criminal Original Petition had been filed seeking to direct the first Respondent not to harass or ill treat the Petitioners or their family members in connection with the alleged complaint given by one third Respondent.

2.The learned Counsel for the Petitioners further submitted that the third Respondent knowing full well that there was no common pathway, had given a false complaint with the second Respondent. Based on which, the second Respondent summoned the Petitioners 1 and 2.

3.The learned Government Advocate (crl.side) on instructions from the Respondent Police submitted that there was a common pathway and the Petitioners are alleged to have put up stones. The third Respondent is 84 years old man and his property is behind the property of the Petitioners. The Petitioners are alleged to have put up stones obstructing the pathway.



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4.The learned Counsel for the third Respondent submitted that the first Petitioner after purchasing the property have obstructed the stones obstructing the pathway of the third Respondent and hence, the third Respondent has given the present complaint.

5.Considering the fact the third Respondent's right over the pathway had been obstructed by the Petitioners herein, the third Respondent had given a complaint to the Police. The Police had enquired into the matter and undertook to give Police protection. In view of the above, both parties are directed to appear before the civil Court for appropriate relief. Under Section 482 of Cr.P.C., the Court cannot direct Police protection, when there are conflicts between the parties.

In the result, the ***Criminal Original Petition*** is disposed of.

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

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To

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SATHI KUMAR SUKUMARA KURUP, J.

cmr

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