



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 28.08.2024

CORAM

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.6478 of 2023

Vijay Chandar

... Petitioner

Vs

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

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

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

4. Aravind

5. Mathana

... Respondents

PRAYER :- Criminal Original Petition filed under Section 528 BNSS, to
to direct the respondent 1 to 3, to give necessary police protection to the
life and limb of the petitioner by considering his representation dated
23.02.2023 within the period that may be stimulated by this Court.



For Petitioner : Mr.J.Kathikeyan
for M/S.Gandhi Associates
For R-1 to R-3 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R4 & R-5 : Mr.R.Vinoth Kumar

ORDER

This Criminal Original Petition has been filed, seeking a direction against the respondent police to give police protection to the life and limb of the petitioner, based on his representation dated 23.02.2023.

2. The learned Counsel for the petitioner would submit that the respondents 4 and 5 claimed to be the tenants and are in possession of the property.

3. It can be seen that the parties have gone before the civil Court and the civil Court has given a finding that the plaintiff in the suit, namely, the 5th respondent herein, is not in possession of the property and some third parties are in possession. Therefore, if only the 4th or 5th respondent tried to enter into possession of the property, the petitioner can claim police protection. As against the third party, the petitioner has



only to approach the civil Court and if only any decree/order is passed,
the police can give police protection.

4. In view of the above, this Criminal Original Petition is disposed
of.

28.08.2024

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

jbr

TO

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



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D.BHARATHA CHAKRAVARTHY,J

jbr

ORDER
IN
CRL OP(MD) No.6478 of 2023

Date : 28.08.2024