



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 28.08.2024

CORAM

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.8018 of 2023

S.Perumal

... Petitioner

Vs

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

2. The Deputy Superintendent of Police,  
Cheranmadevi Taluk,  
Tirunelveli.

3. The Inspector of Police,  
Mukkudal Police Station,  
Cheranmadevi Taluk, Tirunelveli.

4. S.Suresh

... Respondents

PRAYER :- Criminal Original Petition filed under Section 528 BNSS, to direct to the 3<sup>rd</sup> respondent to give adequate police protection to petitioner's property, based on his representation dated 21.04.2023 and to take necessary action within the time stipulated by this Court.

For Petitioner : Ms. Arunnithy.S

For R-1 to R-3 : Mr.R.M.Anbunithi

Additional Public Prosecutor

For R-4 : No appearance

**ORDER**

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This Criminal Original Petition has been filed seeking a direction against the respondent police to provide police protection to the petitioner's property, based on his representation dated 21.04.2023.

2. The grievance of the petitioner is that the fourth respondent had filed a civil suit claiming as if the petitioner has encroached on his property. Even on measurement, it was found that the petitioner's house is well within his property and there is no encroachment on the property of the fourth respondent. Therefore, in spite of the same, the 4<sup>th</sup> respondent is every now and then entering into the petitioner's property and damaging the same. Earlier, the petitioner gave a complaint, but no action was taken. Even though the FIR was filed, no final report was filed and the matter was closed as having lapsed by way of limitation. Therefore, the respondent police is not at all taking any action.

3. If the 4<sup>th</sup> respondent is indulging in physical violence or damage to the property in future, the petitioner can immediately lodge a complaint with the respondent police and the respondent police shall take immediate action. If it is the case of the petitioner that the fourth



respondent is every now and then trying to interfere with his peaceful possession and enjoyment, then the petitioner has to approach the civil Court and depending on the order/decreed of the civil Court, the police can grant protection.

4. With such liberty as mentioned, this Criminal Original Petition stands disposed of.

28.08.2024

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

jbr

TO

1. The Superintendent of Police,  
Tirunelveli District, Tirunelveli.
2. The Deputy Superintendent of Police,  
Cheranmadevi Taluk,  
Tirunelveli.
3. The Inspector of Police,  
Mukkudal Police Station,  
Cheranmadevi Taluk, Tirunelveli.



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4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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D.BHARATHA CHAKRAVARTHY,J

jbr

ORDER  
IN  
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