



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 09.09.2024

CORAM

The Hon'ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.11267 of 2023

Dr.Denzil Kudalane

... Petitioner

Vs.

1. The Superintendent of Police

Tuticorin District.

2. The Inspector of Police

Vadabagam Police Station,

Tuticorin District.

3. Pushparani

4. Vinibert Fernando

... Respondents

PRAYER :- This Petition is filed under Section 482 Cr.P.C, to direct the 1st and 2nd Respondent police to Provide adequate police protection to the petitioner and his family members for their life and limb, based on the representation given by the petitioner, dated 03.06.2023, to put up a compound wall in petitioner's property bearing S.No.461 part, 466, 467, 468, 476, situated in Survey ward No.5, Block 4, North Raja Street, Tuticorin, based on the judgment in A.S.No.128 of 2015, dated 22.01.2021.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R1 & 2



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: Mr.K.Selvam for R3

: No appearance

ORDER

This Petition is filed to direct the 1st and 2nd respondent police to provide adequate police protection to the petitioner and his family members for their life and limb, based on the representation given by the petitioner, dated 03.06.2023, to put up a compound wall in petitioner's property bearing S.No.461 part, 466, 467, 468, 476, situated in Survey ward No.5, Block 4, North Raja Street, Tuticorin, based on the judgment in A.S.No.128 of 2015, dated 22.01.2021.

2. Heard both sides.

3. It can be seen that the petitioner has got a decree in his favour, on 22.01.2021, in A.S.No.128 of 2015. The learned counsel appearing on behalf the third respondent would submit that already second appeal had filed and the same is in SR stage and the decree of the first Appellate Court was passed in the year 2021 and till date, the Second Appeal itself is not even being numbered, unless any interim order is passed in the second appeal, the first respondent police is required to grant protection



to the petitioner, in terms of the civil Court decree. It will be open for the private respondent to obtain any such order in the second appeal and until thereof, the if and when sought for by the petitioner, the first respondent police shall grant protection in terms of the civil Court decree.

With the above directions, this Criminal Original Petition stands disposed of.

09.09.2024

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

TO

1. The Superintendent of Police
Tuticorin District.
2. The Inspector of Police
Vadabagam Police Station,
Tuticorin District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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D.BHARATHA CHAKRAVARTHY,J

LS

ORDER
IN
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