



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09.09.2024

CORAM

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.11979 of 2023

Kumaradhas

... Petitioner

Vs.

1. The Superintendent of Police
Kanyakumari District at Nagercoil.
2. The Deputy Superintendent of Police,
Thuckalai, Kanyakumari District.
3. The Inspector of Police
Thiruvattar Police Station, Thiruvattar,
Kanyakumari District.
4. Kanakaraj
5. Kamalaiyan
6. Krishnan
7. Thangappan

... Respondents

PRAYER :- This Petition is filed under Section 482 Cr.P.C, to direct the 2nd Respondent to give Police Protection to the life and limb of the Petitioner and his family based on the complaint dated 24.06.2023.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R1 to 6

**ORDER**

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The petitioner seeks police protection to him and his family members.

2. The learned counsel appearing on behalf of the petitioner would submit that already there is a civil Court decree in favor of the petitioner.

3. Heard both sides.

4. On a perusal of the material records of the case, it can be seen that by a judgment and decree dated 25.02.2010 in A.S.No.17 of 2009, there is a decree of declaration as well as consequential permanent injunction restraining the respondent / defendant therein from interfering with the possession and enjoyment of the plaintiff.

5. In view thereof, unless the parties have taken up the matter further on appeal, if there is any interference in the petitioner's possession and enjoyment, certainly the petitioner is entitled for protection in terms of the decree and judgment of the civil Court.



Therefore, as and when any disturbance from the other side or the party respondent arises, the petitioner represents the police and the police is directed to give protection, in terms of the decree in A.S.17 of 2009 including for activities such as surveying, fencing etc.

6. With the above directions, this Petition stands allowed.

09.09.2024

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

TO

1. The Superintendent of Police
Kanyakumari District at Nagercoil.
2. The Deputy Superintendent of Police
Thuckalai, Kanyakumari District.
3. The Inspector of Police
Thiruvattar Police Station, Thiruvattar,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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D.BHARATHA CHAKRAVARTHY,J

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ORDER
IN
CRL OP(MD) No.11979 of 2023

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