



Crl.O.P.(MD)No.11533 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 25.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.11533 of 2024

Krishnasamy

... Petitioner

versus

1. The Superintendent of Police,
Dindigul District.

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

3. Thirumoorthy

4. Renganathan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS Act, 2023, to direct the 2nd respondent to give police protection in order to erect fence over the land in Survey No.175/2 situated at Rookuvarpatti Village, Palani Taluk, Dindigul District, on the basis of the petitioner's petition dated 26.06.2024.

For Petitioner : Mr.S.Ramasamy

For R1and R2 : Mr.P.Kottaichamy
Government Advocate (Crl. side)



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ORDER

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The petitioner is working as a Deputy Commercial Tax Officer at Madurai. He is having an ancestral property at Dindigul. The respondents 3 and 4 have executed a release deed in favour of the petitioner for his father's property. Now, they are raising certain objections. The petitioner has also filed a civil suit against the respondents 3 and 4 before the District Munsif Court, Palani, in O.S.No.5 of 2016 for the relief of declaration and injunction, which was decreed in favour of the petitioner, by Judgment and Decree dated 03.06.2019. Even thereafter, the respondents 3 and 4 are not permitting the petitioner to cultivate the property. Therefore, the petitioner has attempted to put up a fence, but, the respondents 3 and 4 have objected for the same. Therefore, the petitioner seeks for police protection.

2. The learned Government Advocate (CrI. Side) submits that the petitioner has sent a representation dated 26.06.2024, seeking police protection, through post and he has not appeared for enquiry. Since the petitioner has not appeared for enquiry, they have not conducted any enquiry on the petitioner's representation.



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3. The petitioner claims that there is a civil court decree in his
favour.

4. If the petitioner is having a civil court decree, the respondent
police shall verify the same, advise the respondents 3 and 4 and prevent
any further incident between the petitioner and the respondents 3 and 4.

5. With the above direction, this Criminal Original Petition is
disposed of.

25.07.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes
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B.PUGALENDHI, J.

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To

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

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