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Crl.O.P.(MD)No.14624 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.02.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Crl.O.P.(MD) No.14624 of 2022

Mookan

... Petitioner

Vs.

- 1.The Superintendent of Police,
Madurai District,
Madurai-625 007.
- 2.The Deputy Superintendent of Police,
Melur Sub Division,
Madurai District.
- 3.The Inspector of Police,
Keezhavalavu Police Station,
Keezhavalavu,
Madurai District.

4.Neviliappan

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct respondent Nos.1 to 3 to consider the petitioner's representation dated 02.08.2022 for providing adequate police protection to the petitioner's life and limb for fencing the agricultural land property situated in Survey No.60/3, Kodukkampatti Village, Karungalakudi, Madurai District, within a stipulated time that may be fixed by this Court.



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For petitioner : Mr.R.Karunanidhi
For R-1 to R-3 : Mr.P.Kottaichamy,
Government Advocate
(Criminal Side)
For R-4 : Ms.N.Juliet Latha

ORDER

This petition has been filed for a direction to respondent Nos.1 to 3 to consider the petitioner's representation dated 02.08.2022 for providing adequate police protection to the petitioner.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the subject property. Since there was a dispute between the petitioner and fourth respondent, the petitioner has filed a civil suit in O.S.No.145 of 2022 before the learned District Munsif, Melur. While the said suit is pending, the fourth respondent attempted to encroach upon the property. In order to prevent the said property from the illegal encroachers, the petitioner has decided to fence the property. Therefore, he made a representation to the respondent Police on 02.08.2022 seeking for police protection and the same was not considered till date.



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3. The learned counsel appearing for the fourth respondent vehemently opposed for grant of Police protection to the petitioner citing the pendency of the civil suit.

4. Heard the learned counsel on either side.

5. Since the issue is pending before the Civil Court, this Court is not inclined to grant the relief sought for by the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed. Liberty is granted to the petitioner to approach the respondent Police after the disposal of the Civil suit.

08.02.2024

Index : Yes/No

Internet : Yes/No

TSG

To

- 1.The Superintendent of Police,
Madurai District, Madurai-625 007.
- 2.The Deputy Superintendent of Police,
Melur Sub Division,
Madurai District.
- 3.The Inspector of Police,
Keezhavalavu Police Station,
Keezhavalavu,
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M.DHANDAPANI. J.

TSG

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

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