



Crl.O.P.(MD)No.14798 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14798 of 2024

S.Jothi

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

2.The Inspector of Police,
Thenkarai Police Station,
Theni District.

3.Veeraperumal

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 and 2 herein to provide adequate police protection to the petitioner's life, limb and the property located in respected Survey No.63/1 at Vaigai dam road, Thenkarai, Periyakulam, Theni District and her property on the basis of her representation dated 12.08.2024.

For Petitioner : Mr.J.Vishnu

For R1 & R2 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the respondents 1 and 2 to provide adequate police protection to the petitioner's life, limb and the property located in Survey No.63/1 at Vaigai dam road, Thenkarai, Periyakulam, Theni District and her property on the basis of her representation dated 12.08.2024.

2. The learned counsel appearing for the petitioner would submit that the petitioner has already filed a suit in O.S.No.97 of 2013 against the third respondent and the suit was decreed on 02.03.2021, that the third respondent has preferred an appeal in A.S.No.06 of 2021 and the same came to be dismissed on 24.01.2023, that thereafter the third respondent has preferred a second appeal before this Court in S.A. (MD)No.293 of 2023 and the same was also dismissed on 14.06.2023, that since the third respondent has been attempting to interfere with the petitioner's peaceful possession and enjoyment of the property, the petitioner was constrained to lodge the complaint and that there was no action.



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3. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that earlier on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.328 of 2024 against the third respondent and investigation is pending and that the petitioner has again sent a representation dated 12.08.2024 seeking police protection and the same is pending for enquiry in current paper.

4. Considering the submissions made on either side, the second respondent is directed to consider the petitioner's representation dated 12.08.2024 by taking note of the decree obtained by her from the competent civil Court, which came to be confirmed by this Court and take a decision within a period of ten (10) days from the date of receipt of a copy of this order.

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

04.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

csm

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.
- 2.The Inspector of Police,
Thenkarai Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.14798 of 2024

Dated: 04.09.2024