



Crl.O.P.(MD)No.17713 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Mary

... Petitioner

vs.

1.The State of Tamil Nadu,
Represented by the Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Nazerath Police Station,
Thoothukudi District.

3.John Britto

.. Respondents

Prayer:- Petition filed under Section 482 of Cr.P.C., directing the first respondent to direct the second respondent to give adequate Police protection to the life and limb of the petitioner on the basis of the petitioner's representation dated 23.09.2024.

For Petitioner

: Mr.J.David Ganesan

For R1 & R-2

: Mr.P.Kottai Chamy.
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to grant adequate Police protection to the life and limb of the petitioner.

2. On consideration of the representation of the petitioner dated 23.09.2024, it can be seen that the petitioner had conveyed her property to her brother and it is her case that by undue influence, threat and fraud, the said document has been extracted from her. Not stopping with that, it is a dwelling house and her brother is trying to evict her otherwise than by due process of law. The petitioner has also approached the authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the appeal is said to be pending.

3. It can be seen that it is a dispute between the petitioner and her brother. Unless and otherwise the petitioner obtains any order from the Civil Court or from the authorities under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, as may be permissible under law, the respondent Police cannot now interfere with their dispute and grant protection. If the petitioner contends that any offence is committed, then,



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it will be open for the petitioner to make a separate complaint with reference to the said offence and that will be looked into by the respondent Police in accordance with law.

4. Giving such liberty to the petitioner to approach the Civil Court or such other authority as may be permissible under law, this Criminal Original Petition is disposed of.

18.10.2024

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

TSG

To

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Nazerath Police Station,
Thoothukudi District.

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



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D.BHARATHA CHAKRAVARTHY, J.

TSG

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