



Crl.O.P.(MD)No.19020 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19020 of 2024

Asha

... Petitioner

Vs.

1.State of Tamil Nadu, Rep. by,
The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Deputy Superintendent of Police,
Deputy Superintendent of Police Office,
Valliyoor,
Tirunelveli District.

3.The Sub Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.

4.Raja Durai

5.Anthony Raj

6.Suja

7.Mary

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of the
Bharatiya Nagarik Suraksha Sanhita, 2023, praying to direct the third



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respondent to give adequate Police protection to the life and limb of the petitioner, on the basis of the petitioner's representation dated 29.11.2023, within the stipulated period.

For Petitioner : Mr.J.David Ganesan
For R1 to R3 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

The petitioner filed this Petition seeking Police Protection, by considering her representation dated 29.11.2023.

2. The learned counsel for the petitioner contends that there is a dispute regarding a pathway between the petitioner and the private respondents. The petitioner's husband owned a portion of the property in Survey No.192/7, measuring 7 cents, situated at Perunkulam, Urumankulam, Thisaiyanvilai Taluk, Tirunelveli District, along with a passage of 3 cents in Survey No.186/2A. Originally, the property belonged to the petitioner's great-grandfather, Vettum Perumal, who had purchased it as per Sale Deed Document No.487/1985. Since he had no direct legal heirs, on his demise, his wife Kaliasammal and the petitioner's husband inherited the property, as per Sale Deed Document No.



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3874/2021. Subsequently, the respondents 4 to 7 allegedly harassed and threatened the petitioner and her family members, attempting to prevent the petitioner from claiming any right over the property and seeking to eliminate her presence there. A representation was submitted to the respondent Police on 29.11.2023, but it was not considered. Therefore, the petitioner has approached this Court by filing the present Criminal Original Petition.

3. The learned Additional Public Prosecutor submitted that based on a complaint filed by one Kaniyammal, C.S.R.No.55 of 2020 was registered. Subsequently, on the petitioner's complaint, C.S.R.No.1124 of 2023 was filed against respondents 4 and 5. The dispute pertains to a pathway issue. For the purpose of investigating the petitioner's complaint, she was called for, which cannot be termed as harassment.

4. The learned counsel for the petitioner submitted that both the petitioner and the private respondents have now appeared before the respondent Police and resolved the issue. They further stated that if any additional action is required, they would approach the Civil Court.



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5. Recording the above submissions, this Criminal Original
Petition is disposed of.

NCC : Yes / No
Index : Yes / No
smn2

19.11.2024

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Deputy Superintendent of Police Office,
Valliyoor,
Tirunelveli District.
- 3.The Sub Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

smn2

Order made in
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