



Crl.O.P.(MD)No.20937 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.20937 of 2024

B.Shankar Ganesh

... Petitioner

Vs.

- 1.The State of Tamil Nadu
rep., by the Director General of Police,
O/o., The Director General of Police,
DGP Building, Chennai.
- 2.The Inspector General of Police,
O/o., the Inspector General of Police,
Central Zone, Trichy.
- 3.The Deputy Inspector General of Police,
O/o., The Deputy Inspector General of Police,
Thanjavur.
- 4.The Superintendent of Police,
O/o., The Superintendent of Police,
Thanjavur.
- 5.The Deputy Superintendent of Police,
O/o., the Deputy Superintendent of Police,
SDO, Thiruvidaimaruthur.
- 6.The Inspector of Police,
Naachiyarkoil Police Station,
Thanjavur.



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7.G.Natarajan
8.Srikanth

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the respondents 1 to 6 to give adequate police protection for the petitioner and his family based on the petitioner's representation dated 27.11.2024.

For Petitioner	: Mr.S.Surya
For R1 to R6	: Mr.A.Thiruvadikumar Additional Public Prosecutor

ORDER

The petitioner, who is the practicing Advocate, had filed this petition seeking police protection for the reason that earlier the petitioner's wife had lodged a complaint and a case in Crime No.780 of 2024 has been registered against one Chelladurai, S/o.Krishnamoorthy, who had entered into the petitioner's house on 16.11.2024, at that time, the petitioner was on Palani Yathirai and his wife and minor children were alone in the house. The said Chelladurai threatened the petitioner's family, also undressed himself and urinated in the compound of the petitioner's house. Following the same, the said Chelladurai's brother Srikanth/R8 and one Natarajan/R7 caused life threat to the petitioner. He further submitted that the petitioner was an legal advisor to one



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Rasathi, who was residing in the opposite house to the petitioner. The petitioner would give legal advice to her. Earlier, the said Rasathi had executed a Will in favour of G.Natarajan and his cousin in the year 2008 and the said will was cancelled on 04.06.2015. The petitioner had caused legal notice to the said Natarajan on 12.06.2015 informing about the cancellation of the Will. From that date onwards, the said Natarajan was inimically disposed against the petitioner. This being so, upon gaining confidence on the petitioner, the said Rasathi on 19.09.2020 had executed un-registered Will in favour of the petitioner. Based on the will, the petitioner had also filed a civil suit, which is pending. The said Rasathi died on 16.12.2021, after her death, the class-II legal heir i.e., G.Natarajan/R7 with aid of Srikanth, S/o Krishnamoorthy and Chelladurai are attempting to give life threat to the petitioner. Hence, sought police protection.

2. The learned Additional Public Prosecutor submitted that it is a property dispute. In this case, the petitioner claiming himself to be the beneficiary of the Will of one Rasathi had attempted to take over the property of Rasathi, which was stoutly opposed by the relatives of Rasathi. Hence, there was some fight arose between them, for that



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reason, the petitioner seeks police protection. The relatives of Rasathi had claimed that the petitioner having legal augment had created forged unregistered Will as if the said Rasathi had executed Will in favour of him, who is no way connected with Rasathi, except residing in the opposite house and hence, they are stoutly defending the same. The Will is forged one, according to the relatives of Rasathi. Considering the civil suit is pending between the petitioner and R7 and R8, the police adviced the petitioner as well as R7 and R8 to seek remedy before the civil Court. As on date, the police finds that there is no threat to the petitioner. As and when any specific reason has been brought to the notice to the police, the police would take appropriate action.

3. Recording the submission of the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of.

NCC : Yes / No
Index : Yes / No
Rmk

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- 6.The Inspector of Police,
Naachiyarkoil Police Station,
Thanjavur.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M.NIRMAL KUMAR, J.

Rmk

Order made in
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Dated: 29.11.2024