



Crl.O.P.(MD) No.22 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.22 of 2024

S.Vasanth

... Petitioner

Vs.

**1.The Superintendent of Police,
Office of the Superintendent of Police,
Tenkasi District.**

**2.The Inspector of Police,
Alangulam Police Station,
Tenkasi District.**

3.T.Manickavasagam

4.T.Selvaraj

5.C.Ponnuthaayu

6.S.Annakili

7.S.Joseph

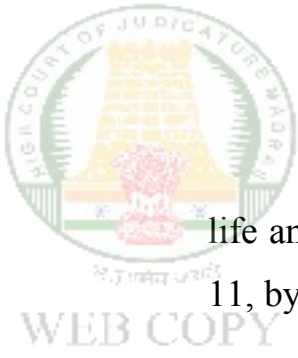
8.S.Arunpandian

9.M.Anandh

10.M.Selvamani

...Respondents

**PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to
direct the Respondents 1 and 2 to provide adequate police protection to the**



Crl.O.P.(MD) No.22 of 2024

life and limb of the Petitioner and her properties from the Respondents 3 to 11, by considering the Petitioner's representation dated 20.12.2023.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1 & 2

ORDER

This Criminal Original Petition has been filed to direct the Respondents 1 and 2 to provide adequate police protection to the life and limb of the Petitioner and her properties from the Respondents 3 to 11, by considering the Petitioner's representation dated 20.12.2023.

2. The learned counsel for the Petitioner submits that the Respondents 3 to 11 had filed a suit in O.S.No.218 of 2015, for which the Petitioner herein was a Defendant. The Defendant had filed a counter claim. After due Trial, on appreciation of evidence, the learned Subordinate Judge dismissed the suit on 20.03.2020 and decreed the counter claim. Aggrieved by the same, the Plaintiffs had filed an Appeal in A.S.No.57 of 2020 before the Additional District and Sessions Judge, Tenkasi, which was dismissed. After dismissal of the Appeal, the Plaintiffs in the suit and the



Crl.O.P.(MD) No.22 of 2024

Appellants in the Appeal are attempting to trespass into the Petitioner's property. Therefore, the Petitioner preferred a Complaint against the Respondents 3 to 11 before the Respondent Police. Since the Respondent Police are not taking any action, he seeks direction before this Court.

3. By way of reply, the learned Additional Public Prosecutor submits that both the Parties had approached the 2nd Respondent by filing Complaints. Both the Complaints were registered as C.S.R.Nos.1389 of 2023 and 1390 of 2023. After due enquiry, since the matter involved civil dispute they were closed.

4. When the Petitioner had been granted a Decree in the counter claim made in the suit, declaring the Petitioner's right, the Petitioner is duty bound to approach the very same Forum to enforce the decree, by filing proper Execution Petition. Instead of that, the Petitioner had by-passed the decree under Section 482 of the Code of Criminal Procedure, under the inherent Jurisdiction of this Court.



Crl.O.P.(MD) No.22 of 2024

WEB COPY

5. With the above observation, the Criminal Original Petition is dismissed.

Internet: Yes./No

04.01.2024

Index: Yes/No

NCC : Yes/No

Ls

To

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



WEB COPY



Crl.O.P.(MD) No.22 of 2024



WEB COPY



Crl.O.P.(MD) No.22 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

LS

CRL.O.P.(MD) No.22 of 2024

04.01.2024