



Crl.O.P.No.18406 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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M. Bhaskar

....

Petitioner

Vs

1. State rep.by

The Commissioner of Police,
Avadi Police Commissionerate,
Tamil Nadu 2nd Police Battalion Compound,
Avadi, Chennai 600 054.

2. The Inspector of Police,

Law and Order
T-16, Nazharathpet Police Station,
Avadi Police District,
Nazharathpet, Chennai 600 123.

3. S. Prasanth

4. S. Praveen Kumar

5. S. Pandiyan

6. M.Udayakumar

7. S.Magesh

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the 2nd respondent to



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provide adequate police protection by considering the petitioner representation dated 04.03.2024 based on the judgment and decree passed in O.S.No.235 of 2019, dated 09.03.2023 on the file of the Principal District Munsif at Poonamallee, Chennai 600 056.

For Petitioner : Mr.R.Prabhakaran

For Respondents : Mr.R.Vinothraja
Government Advocate (Crl.Side)
for R1 & R2

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to provide adequate police protection by considering the petitioner representation dated 04.03.2024 based on the judgment and decree passed in O.S.No.235 of 2019, dated 09.03.2023 on the file of the Principal District Munsif at Poonamallee, Chennai 600 056.

2. The case of the petitioner is that the petitioner has purchased a property in Survey No.380 measuring to an extent of 1904 sq.ft situated at Pappanchathiram Village, Hamlet Village of Palanjur, Poonamallee Taluk, Tiruvallur District from D.Prabakaran through a sale deed dated 01.03.2007 vide Document Number 593 of 2007, registered on the file of Sub-Registrar, Poonamallee, Chennai 600 056. After purchase when the

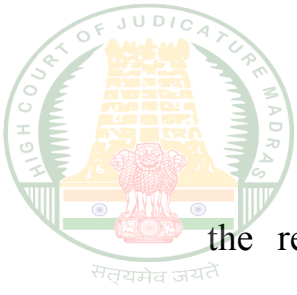


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petitioner started to put a construction, the respondents 3 to 7 who are the local residents interfered with the petitioner's peaceful possession and therefore the petitioner had lodged a complaint before the 2nd respondent. Since no action was taken against the respondents 3 to 7 citing it is a civil dispute the petitioner had filed a suit in O.S.No.235 of 2019, before the Principal District Munsif at Poonamallee, Chennai. The suit was decreed by judgment and decree dated 09.03.2023 in favour of the petitioner. Even then, the respondents 3 to 7 disturbing the petitioner's peaceful possession and directly obstructing the construction put up by the petitioner.

3. The respondents 3 to 7 remained *exparte* before the Principal District Munsif at Poonamalle, Chennai and filed a petition in I.A.No.2 of 2024 to set aside the *exparte* decree and the same is pending. However, the petitioner is in possession and enjoyment of the said property by way of a registered sale deed dated 01.03.2007 vide Document Number 593 of 2007 and started to put up construction. Therefore, if any interference is made by the respondents 3 to 7 in the petitioner's property, on complaint the 2nd respondent is directed to provide adequate police protection to the petitioner while constructing. If



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the respondents 3 to 7 indulge in any criminal activities, the 2nd respondent is directed to take appropriate action against them in the manner known to law.

4. This Criminal Original Petition is disposed of accordingly.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
dpq

To

1. The Commissioner of Police,
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Tamil Nadu 2nd Police Battalion Compound,
Avadi, Chennai 600 054.
2. The Inspector of Police,
Law and Order
T-16, Nazharathpet Police Station,
Avadi Police District,
Nazharathpet, Chennai 600 123.
3. The Public Prosecutor,
High Court, Madras.



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dpq

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