



Crl.O.P.No.24517 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.24517 of 2025

Y.Esther

... Petitioner

Vs.

1. The Superintendent of Police,
Vellore District.

2. The Inspector of Police,
Ponnai, Katpadi Taluk,
Vellore District.

3. Sangeetha

4. Joseph

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to issue a suitable direction to the second respondent Police to give adequate police protection to the petitioner and her husband and limb and also suitable protection to construct the compound wall in respect to the Survey No.179/4B, 0.10cents situated at No.71A, Church Street, Paramasathu Village, Katpadi Taluk, Vellore District.

For Petitioner : Mr.S.Murali Krishnan

For R1 & R2 : Mr.R.Vinothraja
Government Advocate (Criminal Side)



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ORDER

This Writ Petition has been filed seeking a direction to the respondent Police to provide police protection to the petitioner and her family for constructing the compound wall in Survey No.179/4B, 0.10cents situated at No.71A, Church Street, Paramasathu Village, Katpadi Taluk, Vellore District.

2. Heard both sides and perused the materials available on record.

3. It is the contention of the learned counsel appearing for the petitioner that due to a civil dispute, respondents 3 and 5 prevented her from putting up construction around her property. Consequently, the petitioner lodged a complaint before the first respondent Police. However, there was no progress thereafter. Hence, the present petition has been filed.

4. It is submitted by the learned Government Advocate (Criminal Side) appearing for the first and second respondents that the civil suit filed by the third respondent against the petitioner is also pending.



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5. At the outset, this Court is of the view, such protection cannot be granted, particularly when there is a rival claim by the other side. The practice of granting blanket police protection, especially in respect of immovable property without establishing title, leads to serious consequences. In this aspect, the Hon'ble Apex Court in **"PR.Muralidharan and others Vs. Swami Dharmananda Theertha Padar"** reported in (2006) 4 SCC has held as follows:

"...19.A Writ for "Police Protection" so-called, has only a limited scope, as when the Court is approached for protection of rights declared by a decree or by an order passed by a civil Court. It cannot be extended to cases where rights have not been determined either finally by the civil Court or, at least at an interlocutory stage in an unambiguous manner, and then too in furtherance of the decree or order."

6. In view of the above, there shall not be any blanket Order for police protection and the petitioner can very well work out her remedy in accordance with law. Accordingly, this Criminal Original Petition stands dismissed.

09.09.2025

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Neutral Citation: Yes/No



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To

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1. The Superintendent of Police,
Vellore District.
2. The Inspector of Police,
Ponnai, Katpadi Taluk,
Vellore District.
3. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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