

Crl.O.P(MD).No.2062 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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Dated: 04.02.2025

CORAM:

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD).No.2062 of 2025

Mahesh

.. Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi District, Tenkasi.

2.The Inspector of Police,
Uthumalai Police Station,
Uthumalai, Tenkasi District.

3.Paramasivam

.. Respondents

Prayer : Petition is filed under Section 528 of BNSS to direct the second respondent to provide adequate police protection for the life and limb of the petitioner on the basis of the petitioner's representation dated 21.01.2025.

For Petitioner : Mr.R.Chandrasubramanian

For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor



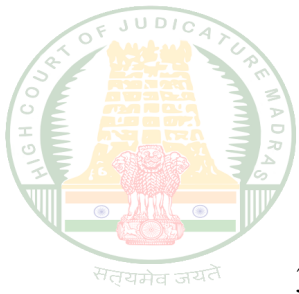
Crl.O.P(MD).No.2062 of 2025

ORDER

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This petition has been filed by the petitioner to direct the second respondent to provide adequate police protection for the life and limb of the petitioner on the basis of the petitioner's representation dated 21.01.2025.

2. According to the petitioner, he is the owner of the property in S.No.245/4 (house) of Marukalankulam Village, V.K.Pudur Taluk, Tenkasi District. The petitioner is seriously suffered from mental agony and he is taking treatment. While so, taking advantage of the same, the third respondent fraudulently transferred the petitioner's property into his name vide registered sale deed executed by one Gopal and Shanmugalakshmi. Therefore, the petitioner lodged a complaint before the respondent police. Though CSR number assigned, no steps have been taken. The third respondent is making life threat to the petitioner, when he is trying to enter into his property. Therefore, he sent a detailed representation to the first and second respondents on 21.01.2025, but the same has not been considered so far by the respondent police. Hence, the present petition.



Crl.O.P(MD).No.2062 of 2025

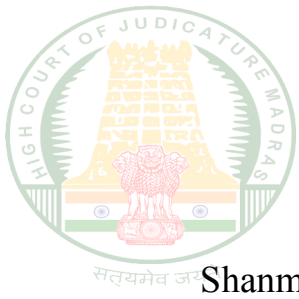
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3. The learned Additional Public Prosecutor, who takes notice for the first and second respondents, would submit that there is a dispute between the family members in respect of ancestral property and earlier the property was sold to some other persons. The earlier complaint of the petitioner was enquired and closed. As far as the present complaint is concerned, no such complaint was received by the official respondents. On seeing the complaint from the papers served to the respondents, now it reveals that there is a dispute between the parties over ancestral property, therefore police protection cannot be given.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the official respondents.

5. Considering the limited prayer sought for in this petition, this Court, without issuing notice to the third respondent, is inclined to pass order in this case.

6. It is an admitted fact that there is a dispute in respect of the subject property. Even according to the petitioner, one Gopal and



Crl.O.P(MD).No.2062 of 2025

WEB COPY

Shanmugalakshmi executed a sale deed in favour of the third respondent in the year 2020. Therefore, there is a title dispute over the property and thereby, the petitioner has to approach the competent civil Court to establish his right. Without any civil Court decree, it is not appropriate to grant police protection, when there is a title dispute.

7. In view of the above discussion, this petition has no merits and is liable to be dismissed at the admission stage itself. Accordingly, this Criminal Original Petition is dismissed.

04.02.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
Rmk

To:

- 1.The Superintendent of Police,
Tenkasi District, Tenkasi.
- 2.The Inspector of Police,
Uthumalai Police Station,
Uthumalai, Tenkasi District
- 3.The Additional Public Prosecutort,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P(MD).No.2062 of 2025

P. DHANABAL,J.

Rmk

Crl.O.P(MD).No.2062 of 2025

04.02.2025