

Crl.O.P.(MD)No.2251 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.2251 of 2025

C.Selvaganapathy

.. Petitioner

Vs.

1. The Superintendent of Police
Theni District, Theni

2. The Deputy Superintendent of Police
Bodinaickanur
Theni District

3. The Inspector of Police
Kurangani Police Station
Theni District

4. Velumani

5. Prakashkumar

6. Praveenkumar

7. Palanichamy

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to instruct the respondents 2 and 3 to give necessary police protection to the life and limb of petitioner, his family members and his property during the process of surveying the petitioners land situated in S.Nos.174/3 and 2732 at Melaparavu Village, Bodinayakanur Taluk, Theni District on the basis of the petitioner's representation dated 18.01.2025 and 24.01.2025.



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For Petitioners : Mr.P.Saravanakumar
For Respondents : Mr.M.Sakthi Kumar
No.1 to 3 : Government Advocate(Crl.Side)
No.4 to 7 : KS.Prakash

ORDER

This Criminal Original Petition has been filed to direct the first respondent to instruct the respondents 2 and 3 to give necessary police protection to the life and limb of petitioner, his family members and his property during the process of surveying the petitioners land situated in S.Nos.174/3 and 2732 at Melaparavu Village, Bodinayakanur Taluk, Theni District on the basis of the petitioner's representation dated 18.01.2025 and 24.01.2025.

2. The learned Government Advocate(Crl.Side) appearing for the respondents 1 to 3 would submit that representation of the petitioner is under enquiry and they will complete the enquiry within a week.

3. The learned counsel for the respondents 4 to 7 would submit that there is a dispute pending between the parties in respect of the property. For the disputed property police protection cannot be given.



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

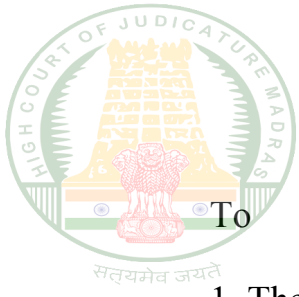
5. It is settled law that for the disputed property police protection cannot be given either to survey the land or fix boundary stones and if the petitioner has any executable decree in his favour then the petitioner can approach this court for seeking police protection.

6. In this case admittedly there is property dispute pending between the parties. However, since the representation of the petitioner is pending before the third respondent, this Court directs the third respondent to dispose the representations of the petitioner within a period of one week from the date of this order.

7. With the above direction, this Criminal Original Petition stands disposed of.

18.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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1. The Superintendent of Police
Theni District, Theni
2. The Deputy Superintendent of Police
Bodinaickanur
Theni District
3. The Inspector of Police
Kurangani Police Station
Theni District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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