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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.2551 of 2025
and
Crl.M.P(MD) No.2015 of 2025

Yasin Mohamed .. Petitioner

Vs.

1. The Superintendent of Police
   Tenkasi District

2.T he Assistant Superintendent of Police
   Kayanallur Division
   Tenkasi District

3. The Inspector of Police
   Kadayanallur Police Station
   Tenkasi District

4. Murugesan .. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the respondents 1 to 3 to provide police protection to the petitioner for fencing his land and to give protection to the petitioner to the life and limb of the petitioner by considering the petitioner's representation dated 11.01.2025.

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For Petitioners : Mr.K.Navaneetha Raja
For Respondents No.1 to 3 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 to 3 to provide police protection to the petitioner for fencing his land and to give protection to the petitioner to his life and limb by considering the petitioner's representation dated 11.01.2025.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the property in S.No.328/1B, Krishnapuram Village, Kadayanallur Municipality. Already he filed a civil suit in O.S. No.293 of 2007 on the file of the Principal District Munsif Court, Tenkasi for declaration in respect of S.No.328/1B and for mandatory injunction and recovery of possession in respect of S.No. 328/1A and the same was decreed in respect of S.No.328/1B and dismissed in respect of S.No.328/2B. Thereafter appeal in A.S.No.52 of 2019 was preferred before the Principal Sub Judge, Tenkasi and the same is still pending. Whileso, the petitioner attempted to put up fencing in the land on 10.01.2025 but the fourth respondent along with his mother and relative scolded the petitioner in filthy language and attacked him and

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also criminally intimidated him. Therefore he sent a representation dated 11.01.2025 to the respondent but and the same has not been considered, hence he filed the present petition.

3. The learned Government Advocate(Crl.Side) appearing for the respondents 1 to 3 would submit that already representation of the petitioner was considered and the same was closed after hearing the petitioner. As per enquiry both the parties are directed to act as per the result of the civil proceedings, therefore they closed the petition.

4. At this juncture, the learned counsel appearing for the petitioner would submit that without conducting enquiry they closed the complaint therefore he seeks copy of the closure report so that he can take a decision based on the findings of the closure report.

5. The learned Government Advocate(Crl.Side) also served the copy of the closure report today.

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6. Therefore in the said circumstances it is for the petitioner to take appropriate steps in the manner known to law if he is aggrieved by the closure report.

7. In view of the same, this Criminal Original Petition stands closed. Consequently connected miscellaneous petition stands dismissed.

19.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Superintendent of Police
Tenkasi District

2.T he Assistant Superintendent of Police
Kayanallur Division
Tenkasi District

3. The Inspector of Police
Kadayanallur Police Station
Tenkasi District

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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P.DHANABAL,J.

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Crl.O.P.(MD)No.2551 of 2025

19.02.2025

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