



Crl.O.P.(MD)No.2583 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :12.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

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J.Jebrisam

... Petitioner

Vs

1. The State of Tamil Nadu,
The Commissioner of Police,
Tirunelveli City,
Tirunelveli District.
2. The State of Tamil Nadu,
The Deputy Commissioner of Police,
Tirunelveli City,
Tirunelveli District.
3. The State of Tamil Nadu,
The Assistant Commissioner of Police,
Tirunelveli City,
Tirunelveli District.
4. The State of Tamil Nadu,
The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
Tirunelveli District.
5. A.Paramasivam

... Respondents



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Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the 1st respondent to direct the 3rd respondent to give police protection for his life and limb of the petitioner and his family members also for their service apartment.

For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mr.R.M.Anbunithi
Addl. Public Prosecutor (Crl. side)

ORDER

This criminal original petition has been filed to direct the 1st respondent to instruct the 3rd respondent to give police protection for the life and limb of the petitioner and his family members also for their service apartment.

2. According to the petitioner, the mother of the petitioner is the tenant under the 5th respondent and there is a tenancy dispute between the parties. In the meantime, a complaint was lodged against the petitioner and FIR has also been registered in Crime No.4 of 2025 for the offences under Section 296(b), 329(4) and 351(2) of B.N.S on 08.01.2025 and Crime No.5 of 2025 for the offences under Section 296(b), 115(2), 351(2) and 303(2) of B.N.S. on 08.01.2025 and the same is also pending.



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3. Civil Suit in O.S.No.30 of 2025 on the file of the District Munsif Court, Tirunelveli is also pending. while so without following the procedures, the 5th respondent attempted to vacate the petitioner from the suit property without due process of law. The 5th respondent has attempted to vacate the petitioner's mother in the premises. Therefore, the petitioner has made a representation dated 16.01.2025 for police protection for the life and limb of the petitioner and his family members also for their service apartment and the same has not been considered by the 3rd respondent. Hence, the present petition.

4. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents 1 to 4 would submit that there is a civil dispute pending between the parties in respect of the tenancy. The 5th respondent is the owner of the property and the petitioner's mother is the tenant and there is a tenancy dispute between the parties and thereby civil suit is also pending. Based on the complaint given by the 5th respondent, FIR has been registered in Crime No.4 of 2025 for the offences under Section 296(b), 329(4) and 351(2) of B.N.S on 08.01.2025 and the same is also under investigation. While so, the petitioner has sent a representation dated 16.01.2025 and the same is pending for enquiry. Since the



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representation of the petitioner is under enquiry, learned Additional Public Prosecutor (Criminal Side) seeks further time to complete the enquiry.

5. Considering the limited scope of the prayer of the petitioner, this Court without issuing notice to the 5th respondent inclined to dispose of the petition at the admission stage itself.

6. In this case it is an admitted fact that there is a tenancy dispute between the parties and already a civil suit is also pending before the District Munsif Court, Tirunelveli. Further based on the complaint given by the 5th respondent FIR in Crime No.4 of 2025 has also registered and the same is also under investigation. In the meantime, the petitioner sent a representation dated 16.01.2025 before the 3rd respondent for police protection and the same was forwarded to the file of the 4th respondent.

7. Now, the learned Additional Public Prosecutor (Criminal Side) seeks further time to dispose of the representation of the petitioner. Therefore, it is appropriate to direct the 3rd respondent to consider the representation of the petitioner dated 16.01.2025 and dispose of the same.



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8. Accordingly, this petition is disposed of by directing the 3rd respondent to dispose of the representation of the petitioner dated 16.01.2025 in accordance with law and on merits, within a period of 1 week from the date of this order.

9. With the above said directions, the writ petition is disposed of. No costs.

12.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

rgm



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P. DHANABAL, J.

rgm

To

1. The Commissioner of Police,
The Government of Tamil Nadu,
Tirunelveli City,
Tirunelveli District.
2. The Deputy Commissioner of Police,
The Government of Tamil Nadu
Tirunelveli City,
Tirunelveli District.
3. The Assistant Commissioner of Police,
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