



CRL.OP(MD) No.6586 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. OP(MD) No.6586 of 2025

Nambi Rayer

... Petitioner

Vs

1. The Sub Inspector of Police,
Moolaikaraipettai Police Station,
Tirunelveli.

2. Madasamy

3. Rajkumar

4. Muthukumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to direct the 1st respondent police to grant police protection to the petitioner and his family members life and limb and to fence the property bearing Survey No.693/1A, situated at Paruthipadu Village, Nanguneri Taluk, Tirunelveli bases on the complaint dated 08.03.2025.

For Petitioner : Mr.K.Vinoharan

For R1 : Mr.M.Vaikkam Karunanithi

Government Advocate (Crl. Side)



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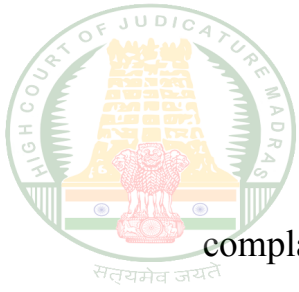
ORDER

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This petition has been filed by the petitioner to direct the 1st respondent police to grant police protection to the petitioner and his family members life and limb to fence the property bearing Survey No. 693/1A, situated at Paruthipadu Village, Nanguneri Taluk, Tirunelveli bases on the complaint dated 08.03.2025.

2. According to the petitioner, he is the owner of the property in Survey No.693/1A, situated at Paruthipadu Village, Nanguneri Taluk. While so, a suit in O.S.No.155 of 2019 was filed before the District Munsif Court, Nanguneri and the same was dismissed. Subsequently, an appeal in A.S.No.15 of 2023 was preferred before the Sub Court, Nanguneri and the same was allowed by judgment dated 12.02.2025. Thereafter, the petitioner sent a representation to the first respondent police on 08.03.2025 for fencing the property and the same was not considered. Hence this petition.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the 1st respondent police would submit that based on the



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complaint lodged by the petitioner, they conducted an enquiry and closed on 25.03.2025. Therefore, nothing survives for further adjudication in this case.

4. Considering the prayer sought for in the petition, this Court even without issuing notice to the respondents no.2 to 4 inclined to pass orders in this petition.

5. According to the petitioner, he is owner of the property in Survey No.693/1A and he obtained decree through an order dated 12.02.2025 passed in A.S.No.15 of 2023 on the file of the Sub Court, Nanguneri and now the petitioner want to put up fence over the property, but the private respondents No.2 to 4 restrained the petitioner. Therefore, he sought for police protection, but the same has not been considered. According to the 1st respondent, the representation of the petitioner was already considered and the same was closed. Since the petitioner has decree in his favour by the judgment dated 12.02.2025 and no appeal time is over for preferring second appeal, the petitioner can approach the 1st respondent after lapse of appeal time. If any petition filed by the petitioner, the 1st respondent can consider the same and take appropriate decision in accordance with law



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after giving an opportunity to both the parties.

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6. With the above said observations, this Criminal Original Petition is disposed of.

09.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
Mac

To

1. The Sub Inspector of Police,
Moolaikaraipettai Police Station,
Tirunelveli.

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



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P.DHANABAL, J.

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