



Crl.OP(MD)No.3141 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.3141 of 2026

Ponnuchamy

... Petitioner

Vs.

The State of Tamilnadu,

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.

2.The Inspector of Police,
Chekkanoorani Police Station,
Usilampatti Taluk,
Madurai District.

3.The Sub Inspector of Police,
Chekkanoorani Police Station,
Usilampatti Taluk,
Madurai District.

4.Devika

5.Palpandi

6.Chellapandi

... Respondents



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Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondents 1 to 3 to provide adequate police protection for erecting fencing in Old.S.No.1/1, New S.No.145/1 for an extend of 1 acre 2 cents situated at Panniyaan Village, Usilampatti Taluk, Madurai District, by considering the petitioner's representation dated 28.01.2026.

For Petitioner : Mr.K.Sudalaiyandi
For R1 to R3 : Mr.M.Sakthikumar
Government Advocate (crl.side)

ORDER

Seeking to direct the respondents 1 to 3 to provide adequate police protection for erecting fencing in Old.S.No.1/1, New S.No.145/1 for an extend of 1 acre 2 cents situated at Panniyaan Village, Usilampatti Taluk, Madurai District, by considering the petitioner's representation dated 28.01.2026, this criminal original petition is filed.

2.The learned counsel appearing for the petitioner submitted that already a civil suit in O.S.No.36 of 2015 is pending on the file of the learned District Munsif cum Judicial Magistrate No.I, Usilampatti, with



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respect to the property comprised in Old.S.No.1/1, New S.No.145/1 for an extend of 1 acre 2 cents situated at Panniyaan Village, Usilampatti Taluk, Madurai District. The said suit seeking for permanent injunction was decreed vide order dated 24.07.2015 in favour of the petitioner and thre others and no appeal has been preferred as against the same. However, the private respondents herein are continuously attempting to quarry sand from the petitioner's land. In this regard, the petitioner has lodged a complaint and is in urgent need of putting up a fence around the said property Hence, the petitioner had given a representation to the third respondent police. However, they have not taken any positive steps. Hence, this petition.

3.The learned Government Advocate (Crl.side) submitted that on receipt of the petitioner's complaint, the petitioner was summoned. However, he failed to appear.

4.Considering the limited scope of the relief, notice to the private respondents is dispensed with.



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5.Considering the facts and circumstances of the case, the third respondent police is directed to issue summon under Section 64 BNSS to the petitioner as well as the respondents 4 to 6 and also any other interested parties, if any, and requiring them to produce the necessary title documents to substantiate their claim over the subject property. After the enquiry, if the petitioner's title is confirmed by the strength of the decree passed by the learned District Munsif cum Judicial Magistrate No.I, Usilampatti, in O.S.No.36 of 2015, the third respondent police is directed to provide proper police protection to the petitioner for the purpose of putting a fence around the said property upon payment of the requisite charges by the petitioner in terms of G.O. (Ma).No.139, Home (Pol-VIII) Department, dated 04.03.2019. If the private respondents are able to produce any substantial evidence justifying interference with the said property, the third respondent police may direct respondents 4 to 6 to approach the appropriate forum for redress and ensure that the petitioner's possession of the property remains undisturbed pending the decision.



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

16.02.2026

NCC : Yes / No
Index : Yes / No
Rmk

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.
2. The Inspector of Police,
Chekkanoorani Police Station,
Usilampatti Taluk,
Madurai District.
3. The Sub Inspector of Police,
Chekkanoorani Police Station,
Usilampatti Taluk,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Rmk

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