



Crl.O.P(MD)No.4422 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.4422 of 2026

P.Unnikrishnan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by The Superintendent of Police,
Kanyakumari District,
Kanyakumari.

2.The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.

3.Thiru Vickiramadoss

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the 1st and 2nd respondents to afford sufficient police protection to the petitioner, his family and his property comprised in R.S.No.455/14B of Attur Village, Kalkulam Taluk, Kanyakumari District admeasuring 19 cents and 995 sq links.

For Petitioner : Mr.C.T.Perumal



Crl.O.P(MD)No.4422 of 2026

For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)

ORDER

Seeking protection to the petitioner's life, limb and property from the 3rd respondent, this criminal original petition is filed.

2. Since no adverse order is passed against the private respondent, notice to the private respondent is dispensed with.

3. The learned counsel for the petitioner submitted that he is the owner in possession and title of the land consisting 4 cents comprised in R.S.No.455/14 of Ezhilachal Desom, Attur Village, Kalkulam Taluk, Kanyakumari District. He had obtained title over the same by the strength of gift date dated 14.05.2001 executed in his favour by his father vide Document No.888 of 2001 of Verkizhambi Sub Registry and by sale deed executed in his favour by his sisters vide sale deed dated 07.11.2005 in Document No.1827 of 2005. However, the 3rd respondent, without any rhyme and reason and without any right over



Crl.O.P(MD)No.4422 of 2026

the same, is interfering with the peaceful possession and enjoyment of the said property. Hence, this petition.

4. The learned Government Advocate(Crl.Side) submitted that the petitioner and the 3rd respondent are brothers. The dispute is with regard to the ancestral properties, C.S.R has been issued in C.S.R.No.1406 of 2025 and the same was closed advising the parties to work out their remedy before the civil forum.

5. Heard the learned counsel on either side and carefully perused the materials available on record.

6. Considering the fact that the 3rd respondent is none other than the petitioner's brother and the dispute is with respect to the ancestral property, though the claim of the petitioner is that already the Additional District Munsif Court, Padmanabhapuram, Kanyakumari District in O.S.No.18 of 2015 by judgment and decree dated 15.12.2016 had upheld the title and possession of the property, the petitioner claims



Crl.O.P(MD)No.4422 of 2026

that the 3rd respondent is disturbing the possession of the said property and making use of the situation that the petitioner is a railway employee who is not dwelling in the same village. In this regard, the 2nd respondent police is directed to issue summon to the petitioner as well as to the 3rd respondent under Section 64 BNSS and the parties are directed to produce the necessary documents which should substantiate the title. On perusal of the same, if the claim of the petitioner is found to be true, the 2nd respondent police is directed to afford necessary police protection, on payment of necessary fees in terms of G.O(Ms)No. 139, Home (Pol-VIII) Department, dated 04.03.2019.

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

26.02.2026

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

gbg



Crl.O.P(MD)No.4422 of 2026

WEB COPY

- To
- 1.The Superintendent of Police,
Kanyakumari District,
Kanyakumari.
 - 2.The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.4422 of 2026

L.VICTORIA GOWRI, J.

gbg

Crl.O.P(MD)No.4422 of 2026

26.02.2026