



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :25.03.2026

CORAM:

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

CRL.OP(MD)No.11284 OF 2026

J.Pushpam

... Petitioner

.Vs.

The State of Tamil Nadu,represented by

1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Ambathurai Police Station
Dindigul District.

3.Angammal

4.Mayandi

...Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, 2023 praying this Court to direct the respondents 1 and 2 to provide adequate Police protection to the Petitioner's life and property by considering the Petitioner's representations dated 10.3.2025 and 18.6.2025.



For Petitioner : Mr.R.Murali
for Mr.S.Manikandan

For Respondents : Mr.A.Albert James
1 and 2 Govt Advocate(Crl.side)

For Respondents : Mr.R.Anand
3 and 4

ORDER

The present Petition has been filed seeking a direction to the second respondent Police to provide adequate Police protection to the Petitioner's life and property by considering her representations, dated 10.3.2025 and 18.6.2025.

2.According to the learned counsel for the Petitioner, there was a civil suit between the Petitioner and private respondents 3 and 4 in O.S.No.312 of 2014. It was filed seeking partition. The preliminary decree came to be passed which culminated into final decree in I.A.No.257 of 2017, dated 6.4.2018.The final decree has been incorporated in non judicial stamp paper. The final decree has become executable and final. According to the learned counsel for the Petitioner when they made an attempt to fence that property as per the final decree proceedings, the private respondents herein raised objection and prevented them from



WEB COPY

putting up fencing. Even though the final decree was passed in the year 2018, no appeal was filed by the private respondents despite the fact that the private respondents are preventing the Petitioner from putting up fencing as per the final decree proceedings. Hence the petitioner prayed for police protection for putting up fencing in the said property.

3.Per contra, the learned counsel for the respondents 3 and 4 submitted that they are doing agricultural activities in the property in dispute. If the Petitioner wants to fence his property he can approach the concerned Court for necessary relief and police protection cannot be granted for putting up fencing.

4.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5.As could be seen from the records final decree was passed in I.A.N.257 of 2014 on 6.4.2018 and both parties so far have not filed any appeal and hence, there is no dispute whatsoever with regard to the entitlement of the property of the Petitioner.

6.This Court in **CrI.O.PNo.8924 of 2013, dated 12.3.2014** has passed an order granting police protection to the Petitioners



WEB COPY

therein on the ground that when there is a civil Court decree police protection was granted relying the case of **Moran M.Baselis Marthoma Mathews II .vs. The State of Kerala reported in (2007) 6 SCC 517** for putting up fencing.

7.In view of the above facts, the Petitioner is entitled to get police protection with regard to the property allotted to him in the final decree proceedings.

8.Accordingly, the second respondent Police is directed to provide adequate police protection to the Petitioner for putting up fencing with regard to the properties allotted to the petitioner in the final decree proceedings.

9.With the above observation, the Criminal Original Petition stands disposed of.

25.03.2026

NCS : Yes/No

Index : Yes / No

Internet : Yes / No

vsn

To

1.The Superintendent of Police,

4/6



WEB COPY

Office of the Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Ambathurai Police Station
Dindigul District.

Copy to

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

R.VIJAYAKUMAR.,J.

vsn

ORDER MADE IN

CRL.OP(MD)No.11284 OF 2025



WEB COPY



25.03.2026