

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.17675 of 2015

Gopakumaran Nair, Proprietor
M/s. Pioneer Inc.,
25, VGP Murphy Square,
2nd Cross Street, St.Thomas Mount,
Chennai - 600 016. .. Petitioner

Vs.

1.The Inspector of Police,
S-1, St.Thomas Mount Police Station,
St.Thomas Mount, Chennai - 600 016.

2.V.Nagarajan .. Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., praying to issue a direction to the first respondent to give police protection to the petitioner at the time of taking back the generator from the place of the second respondent.

For Petitioner :: Mr.T.N. Buvaneswaran
For Respondent :: Mr.C.Emalias [R1]
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to issue a direction to the first respondent to give police protection to the petitioner at the time of taking back the generator from the place of the second respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3. It is seen that this petitioner was a tenant in the house at 9/3 & 20/3, Muthial Reddy Street, Alandur, Chennai-600 016 and had vacated the premises on 10.08.2014. Thereafter, the landlord appears to have given two cheques towards refund of rental advance, which when presented were dishonoured. Pursuant to which, the petitioner had filed complaints in C.C.Nos.158 and 159 of 2015 under Section 138 of Negotiable Instrument Act, against the landlord, which are pending. While so, now the petitioner wants to remove the generator belonging to him that is lying in the premises. When the petitioner wanted to remove the generator, it appears that the landlord is obstructing the petitioner. Therefore, the petitioner has lodged a complaint on 22.05.2015 to the Deputy Commissioner of Police, St.Thomas Mount, Chennai, to give police protection, who has referred to the Inspector of Police, St.Thomas Mount, Chennai.

4. Under such circumstances, this Court directs the Inspector of Police, St. Thomas Mount, Chennai, to enquire into the complaint and provide police protection to the petitioner after due enquiry, if there is bona-fide in their case for removing the generator.

5. With the above direction, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Inspector of Police,
S-1, St.Thomas Mount Police Station,
St.Thomas Mount,
Chennai - 600 016.

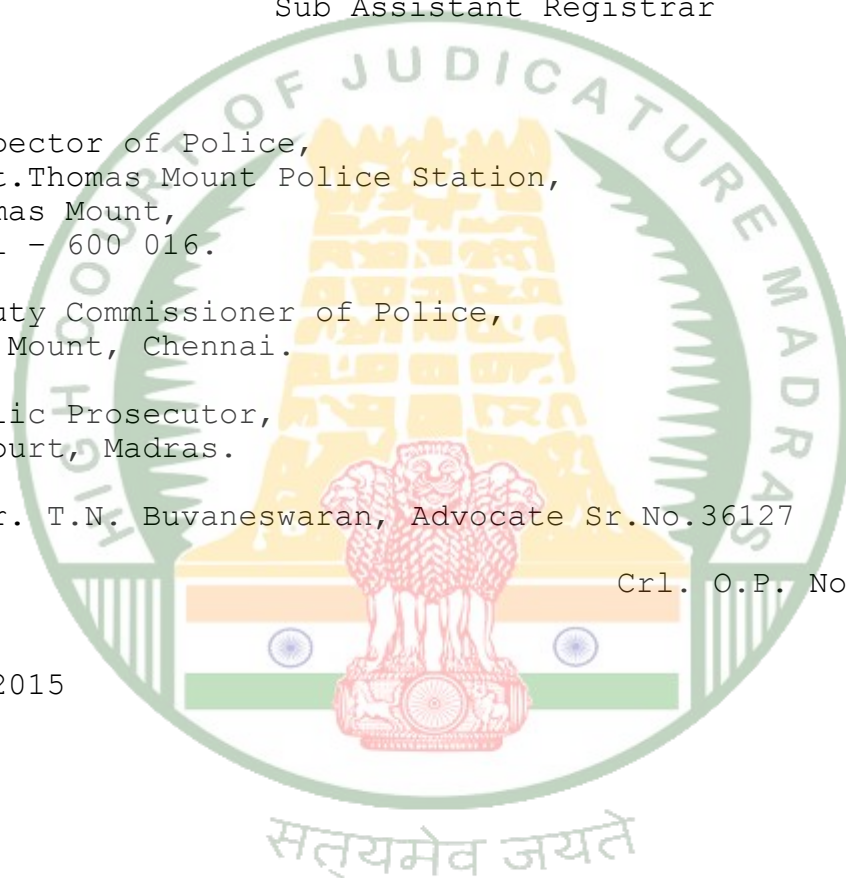
2.The Deputy Commissioner of Police,
St.Thomas Mount, Chennai.

3.The Public Prosecutor,
High Court, Madras.

1 cc to Mr. T.N. Buvaneswaran, Advocate Sr.No.36127

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pmk.31.7.2015



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