



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P.(MD) No.17854 of 2016

A.Sabapathy : Petitioner

-Vs-

1.State represented by
The Inspector of Police,
Thathaiyengarpet Police Station,
Musiri Taluk, Trichy District.

2.Sriram Transport Finance Co. Ltd.,
Thuraiyur,
represented by its Manager,
Thuraiyur,
Trichy District.

: Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure, to direct the 1st respondent to consider the representation of the petitioner, dated 19.07.2016 and given necessary police protection to him forbearing the 2nd respondent from taking any forcible possession of the vehicle against law and pass such further orders.

For Petitioner : Mr.V.Singan
For 1st Respondent : Mr.P.Kannithevan
Government Advocate
(Criminal side)

For 2nd Respondent : Mr.Ananth C. Rajesh

O R D E R

This petition is filed seeking for a direction to the first respondent to give police protection, based on the representation of the petitioner, dated 19.07.2016 and to forbear the 2nd respondent from taking any forcible possession of the vehicle against law.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the 1st respondent as well as the learned counsel appearing for the 2nd respondent and perused the materials available on record.



3.The learned counsel for the 2nd respondent would submit that the petitioner availed loan of Rs.10,00,000/- for purchasing a tipper Lorry bearing registration No.TN-46-J-8409 and as on date, he is liable to pay Rs.16,32,807/-. It is further submitted that the petitioner has approached the civil court by filing a suit in O.S.No.174 of 2016, on the file of the Principal District Munsif, Musuri and also filed application for interim injunction and that since, he could not get any favourable orders from the competent civil court, he has filed this petition, suppressing the material facts. Therefore, the petitioner is not entitled to any relief in this case.

4.Considering the facts of this case and the submissions made on either side, this court is of the opinion that the petitioner is not entitled for police protection as sought for in this petition. Hence, this petition is dismissed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To,

1.The Inspector of Police,
Thathaiyengarpet Police Station,
Musiri Taluk, Trichy District.

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

+1 cc to M/S.ANAND C.RAJESH, Advocate SR.No.62821

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SMA/SKS-RR/11.11.2016:2P/4C



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