



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.03.2017
CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH**Cr1.O.P. (MD) No.2953 of 2017**

V.Karthik Prabhu

: Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Sellur Police Station,
Madurai City.

3.The Branch Manager,
INDUSIND Marketing and Finances Service Private Limited,
D.No.144, Raja Towers, Fathima Nagar,
Bye pass Road, Kalavasal,
Madurai - 16.

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Respondents to give police protection for petitioner's life, limp and the petitioner's vehicle PIAGGI ape auto D3s with passenger BSIII (Yellow colour) bearing registration No.TN 63 AL 6548, based on the petitioner's representation dated 11.03.2017.

For Petitioner : Mr.V.Santhakumaresan

For Respondents : Mr.K.Anbarasan

Government Advocate (Cr1.side)

O R D E R

This petition has been filed seeking a direction to the Respondents to give police protection for petitioner's life, limp and the petitioner's vehicle PIAGGI ape auto D3s with passenger BSIII (Yellow colour) bearing registration No.TN 63 AL 6548, based on the petitioner's representation dated 11.03.2017.

2.Mr.I.Karthick Selvam, Sub Inspector of Police, Sellur Police Station, Madurai City is present.

3.Heard Mr.V.Santhakumaresan, learned counsel appearing for the petitioner and Mr.K.Anbarasan, learned Government Advocate (Criminal side) appearing for the respondents.



4.It is seen that this petitioner has purchased the auto on Hire Purchase Agreement from the third respondent and had given the auto to one N.K.Pandian, who was supposed to pay the dues to the third respondent. Since the petitioner and N.K.Pandian failed to pay the dues, the third respondent took possession of the auto from N.K.Pandian. Therefore, the petitioner has given a complaint dated 11.03.2017, making allegations against the third respondent.

5.Learned Government Advocate (Criminal side) on instruction submitted that on the complaint given by the petitioner enquiry has been conducted in C.S.R. No.447 of 2017 and during the enquiry with N.K.Pandian, it came to light that the third respondent has taken possession of the auto in terms of Hire Purchase Agreement for the failure of the petitioner to pay the dues.

6.It is trite law that Hirer has got right to get re-possession of the vehicle for which no criminal case can be registered.

7.In the result, this Criminal Original Petition is devoid of merits and the same is dismissed with liberty to the petitioner to workout the remedy before the Civil Forum.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Sellur Police Station,
Madurai City.

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

+1 CC to Mr. V.SANTHAKUMARESAN, Advocate, SR No. 15772

SJ

PSM/MR/03.04.2017/2P/5C

Order made in
Cr1.O.P. (MD) No.2953 of 2017
16.03.2017