

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.OP.No.24085 of 2017

K.Samiyappan

.. Petitioner

Vs

State Represented by,

1. The Commissioner of Police,
Tiruppur,
Tiruppur District.

2. The Inspector of Police,
Tiruppur Central Police Station,
Tiruppur District.

3. S.Gopal Samy

4. Kavitha

(R3 & R4 are impleaded as per the
order of this Court dated 21.11.2017
made in Crl.M.P.No.14499/2017

in Crl.O.P.No.24085/2017)

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondents to give protection to the petitioner's company viz M/s.Gracy Incorporation, situated at 2/1083-A(1), NVB Lay out Murugampalayam Via, Mangalam Road, Tiruppur - 641 604 and direct the police not to harass the petitioner except under due process of law.

For Petitioner : Mr.K.Pradeep Raj

For Respondents : Mrs.Kritika Kamal.P

Government Advocate (Crl. Side) for R1 & R2

Mr.K.Sudhakar for R3 & R4

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O R D E R

The prayer sought for in the present petition is to direct the respondents to give protection to the petitioner's company viz M/s.Gracy Incorporation, situated at 2/1083-A(1), NVB Lay out Murugampalayam Via, Mangalam Road, Tiruppur - 641 604.

2. The petitioner as well as third respondent claim to be

partners of a company called M/s.Gracy Incorporation, situated at 2/1083-A(1), NVB Lay out Murugampalayam Via, Mangalam Road, Tiruppur - 641 604. In connection with the dispute among the partners, the petitioner herein had given a representation to the second respondent police seeking protection for the purpose of running the company.

3. The learned counsel appearing for the third respondent submitted that he is also a partner in the subject company and therefore grant of protection to the petitioner alone will prejudice his rights. It is also stated by the learned counsel for the third respondent that there are civil suits pending in connection with the property.

4. The learned Government Advocate (Crl. Side), on instructions, submitted that the earlier complaint given by the petitioner seeking for protection has been closed on 16.11.2017 by directing the parties to approach the civil court for appropriate remedies. In view of the civil dispute, grant of police protection may not be appropriate.

5. In this back ground the petitioner is granted liberty to approach the second respondent herein seeking for such relief and on receipt of same, the second respondent shall consider on its own merits and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6. While conducting such an enquiry, the second respondent shall give due opportunity to the third respondent and to any other persons who may affected in running the business and while passing appropriate orders, the objection of third respondent shall also be considered.

7. With the above observations, the criminal original petition stands closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Tiruppur,
Tiruppur District.
2. The Inspector of Police,
Tiruppur Central Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.K.Pradeep Raj, Advocate, S.R.No.10363
+lcc to Mr.K.Sudhakar, Advocate, S.R.No.10162

Crl.OP.No.24085 of 2017

RRK(22/02/2018)



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