

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2018

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.12596 of 2018

C.Chandra

... Petitioner

vs.

1. State rep. by

The Commissioner of Police
Chennai City Police
Greater Chennai, Vepery,
Chennai-600 007.

2. State rep. by

The Inspector of Police (L & O)
H6, R.K.Nagar Police Station
Chennai-600 021.

3. R.Sugumar

... Respondents

*R3 impleaded as per order of this Court made in
Crl.MP.No.7703 of 2018 in Crl.OP.No.12596 of 2018

Prayer:Criminal Original Petition filed under Section 482,
Cr.P.C. seeking a direction to the 2nd respondent to give police
protection to the petitioner and her daughter on the basis of
the representation given by the petitioner to the respondents on
25.04.2018 and the same has been forwarded by the first
respondent to the 2nd respondent.

For petitioner : Mr.S.V.S.Ilamvazhuthi

For Respondents: Mrs.Kritika Kamal.P.

Government Advocate

(Crl. Side) for R1

Mr.A.Arumugam, for R2

Mr.N.Naveen Kumar, for R3

O R D E R

This Criminal Original Petition has been filed seeking a
direction to the 2nd respondent to give police protection to the
petitioner and her daughter on the basis of the representation
given by the petitioner to the respondents on 25.04.2018.

2. Chandra, the petitioner herein had taken the property of R.Sugumar, the third respondent herein on lease and that she had paid Rs.4,35,000/- (Rupees Four Lakh and Thirty Five Thousand Only) as advance lease amount. Even, after the lease period, Chandra continued to be in the premises and has not vacated the premises on the ground that R.Sugumar has not paid the lease amount. Admittedly, R.Sugumar has paid Rs.4,00,000/- (Rupees Four Lakh Only) during April 2018 and balance amount of Rs.35,000/- is due from R.Sugumar. While so, Chandra has filed the present petition for police protection.

3. Today, Chandra, the petitioner herein and R.Sugumar, the third respondent herein are present before this Court with their respective counsels.

4. R.Sugumar has handed over a demand draft for Rs.35,000/- to Chandra in the open Court. Chandra has filed an undertaking affidavit, wherein, she has stated that she will vacate the premises on or before 05.08.2018.

5. In Paragraph Nos. 4, 5 & 6 of the affidavit of Chandra dated 05.07.2018, it is stated as follows:-

"4. I further submit that I am ready to receive a balance amount of Rs.35,000/- in way of D.D. produced by the 3rd respondent before this Hon'ble Court and also I undertake to vacate my lease portion within four weeks from today (05.07.2018 to 05.08.2018).

5. I further submit that I am failing which to vacate within the above stipulated period I am ready to abide by any punishment imposed by this Hon'ble Court.

6. I swear and declare that what I am stated above facts are true and best of my knowledge and belief."

6. Chandra has also acknowledged the receipt of the demand draft for Rs.35,000/-.

7. In view of the undertaking given by Chandra, this Court directs the second respondent police not to harass her. If Chandra does not vacate the premises on or before 05.08.2018, the second respondent police shall take steps to vacate her from the premises.

With the above direction, this petition is ordered,
accordingly.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mk
To

1. The Commissioner of Police
Chennai City Police
Greater Chennai, Vepery,
Chennai-600 007.

2. The Inspector of Police (L & O)
H6, R.K.Nagar Police Station
Chennai-600 021.

3. The Public Prosecutor
High Court, Madras-104.

+1cc to Mr.S.V.S.Ilamvazhuthi, Advocate Sr.43728
+1cc to Mr.N.Naveen Kumar, Advocate Sr.43752

Cr1.O.P. No.12596 of 2018

ssv[co]
srg 18/07/2018

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