

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.2428 of 2019

Sri Muthukumaran Traders,
C/o.Sri Valli Oil Mills,
Rep. By its Proprietor,
P.Muthukrishnan,
S/o.Palaniappan,
No.249, Suramangalam Main Road,
Pallapatti, Salem - 9. Petitioner

Vs.

State by

- 1.The Superintendent of Police,
Villupuram District, Villupuram.
- 2.The Inspector of Police,
Chinna Salem Police Station,
Chinna Salem,
Villupuram District. Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to directing the respondents police to give adequate police protection to the petitioner for taking delivery of 1058 bags of groundnut kernels from the godowns situated at Chinna Salem under the custody of the Axis Bank, Attur, Salem District.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed seeking for police protection to to the petitioner for taking delivery of 1058 bags of groundnut kernels from the godowns situated at Chinna Salem under the custody of the Axis Bank, Attur, Salem District.

2. The petitioner was declared highest bidder and the Axis Bank had authorized the petitioner to remove the goods for which the petitioner was the successful bidder. When the petitioner attempted to take delivery of the goods, certain persons came to the spot and threatened the petitioner with dire consequences and had also prevented the petitioner from entering into the spot. Therefore, the petitioner gave a complaint to the respondent police on 18.08.2018 seeking for police protection.

3. The learned counsel for the petitioner has brought to the notice of this Court an earlier order passed by this Court under similar circumstances. This Court, on the very same set of facts, taking into consideration the facts and circumstances of the case, directed the police to give protection to the petitioner to take physical possession of the groundnut bags. The earlier order of this Court squarely covers the facts of this case.

4. In such view of the matter, this Court directs the respondent police to give sufficient police protection to the petitioner to take physical possession of the groundnut kernels from the godown and if any obstruction is made by any one, the police shall take appropriate action in accordance with law.

5. Accordingly, this criminal original petition is allowed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dss

To

1.The Superintendent of Police,
Villupuram District, Villupuram.

2.The Inspector of Police,
Chinna Salem Police Station,
Chinna Salem, Villupuram District.

3.The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.C.Prakasam, Advocate SR.No.8386

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CSL/06.02.2019