



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.3629 of 2016

M.Vanasundari

... Petitioner

Vs.

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

2.The Inspector of Police,
(Law & order),
Thirumangalam Town Police Station,
Madurai District.

3.Latha

4.Muthuraman

5.Sundari

(R-3 to R-5 are implead as per the order of
this Court dated 01.03.2016 made
in Crl.O.P(MD) No.3269 of 2016)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondent No.1 to consider the petitioner's representation dated 27.01.2016 and to provide adequate police protection to the petitioner for vacating his house within the time frame fixed by this Court.

For Petitioner : Mr.R.Venkatesan
(No appearance)

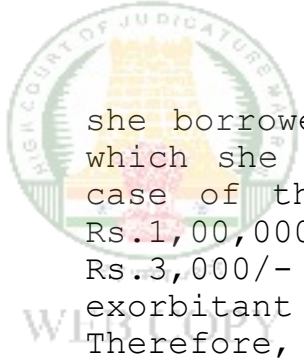
For R1 and R2 : Mr.A.Robinson
Government Advocate

For R3 to R5 : Mr.T.Vadivelan

O R D E R

The petition is filed by the petitioner seeking police protection to vacate her house, as she was prevented from vacating the house by the respondents 3 to 5.

2.According to the petitioner, she was running a medical shop at Virudhunagar and for the educational expenses of her children,



she borrowed a sum of Rs.1,00,000/- from the third respondent, for which she has also executed a promissory note on 13.09.2015. The case of the petitioner is that though she has re-paid more than Rs.1,00,000/- with interest at the rate of Rs.3,000/- per month, the respondents 3 to 5 are demanding exorbitant interest and are not permitting her to vacate the house. Therefore, she has filed a complaint before the respondent police and alleging inaction on their part, she has filed this petition for police protection to vacate the house.

3.The learned Government Advocate on instructions from the respondent police would submit that the complaint of the petitioner was duly registered in Crime No.579 of 2015 on 28.11.2015 as against the respondents 3 to 5 for the offences punishable under Sections 294(b), 506(i) IPC, Section 4 of Tamil Nadu Women Harassment Act and Section 4 of Tamil Nadu Exorbitant Interest Act. The learned Government Advocate further submitted that they have provided adequate police protection and the petitioner has also vacated the house, as such, the petition has become infructuous.

4.The respondents 3 to 5 have been impleaded as parties in this petition vide order dated 01.03.2016 and they entered appearance through a counsel. The learned counsel for the respondents 3 to 5 would submit that he is not having any instructions now.

5.Since the petitioner has vacated her house, the police protection as sought for in this petition has become infructuous. Accordingly, this Criminal Original Petition is dismissed as infructuous. However, considering the nature of the offences in the complaint and the fact that though the police has registered the complaint as early as on 28.11.2015 and there is no progress in the investigation, this Court directs the Deputy Superintendent of Police, Thirumangalam Town Police Station, Madurai, to look into the matter and to entrust the investigation in Crime No.579 of 2015 to some other Investigating Officer, who shall conclude the investigation, as expeditiously as possible, in the manner known to law.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

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



2.The Inspector of Police,
(Law & order),
Thirumangalam Town Police Station,
Madurai District.

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

Copy to:-

Deputy Superintendent of Police,
Thirumangalam Town Police Station,
Madurai District.

Cr1.O.P. (MD)No.3629 of 2016

CS: (24/06/2019) 3P 5C