

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.14819 of 2020

1.Selvaraj Textiles
Rep. by Managing Partner
N.Senthilrajan

2.Sanjana Fabrics
Rep by its owner
D.Saranya

.... Petitioners

Vs.

1.The Superintendent of Police
Namakkal District.

2.The Inspector of Police
Senthamangalam Police Station
Senthamangalam Taluk
Namakkal District.

3.S.Natarajan

4.N.Sivarajan

5.N.Vangalayee

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents 1 and 2 to provide adequate police protection so as to enable the petitioners to shift the manufacturing unit, by considering the petitioners representation dated 23.07.2020.

For Petitioners: Mr.S.Senthil

For Respondents: Mr.S.Karthikeyan

Additional Public Prosecutor for R1&2

O R D E R

The Criminal Original Petition has been filed to direct the respondents 1 and 2 to provide adequate police protection so as to enable the petitioners to shift the manufacturing unit, by considering the petitioners representation dated 23.07.2020.

2.The learned counsel for the petitioners would submit that the 1st petitioner is the Managing Director of Sri Selvaraj Textiles. He availed loan to the tune of Rs.80 Lakhs

from the Indian Bank, Namakkal Branch, to purchase 24 Auto loom machineries. For the said loan, the respondents 3 to 5 herein executed mortgage deed dated 25.03.2015 as guarantee and also stood as guarantor. The 2nd petitioner also availed loan to the tune of Rs.1,24,92,000/- from Indian Bank, for which also the respondents 3 to 5 stood as guarantor and executed mortgage deed dated 25.03.2015. The premises in which the petitioners units are functioning is owned by the respondents 3 to 5. While being so, the respondents 3 to 5 also running their own business with good profit and as such the respondents 3 to 5 had jealous over the petitioners and disconnected the electricity connection which was provided to the manufacturing unit. Now the petitioners also wants to shift the machineries to their own premises for effective running of the unit. Therefore, the petitioners lodged a complaint dated 23.07.2020 and it is pending on the file of the 2nd respondent.

3.The learned Additional Public Prosecutor would submit that on receipt of the complaint dated 23.07.2020, from the petitioners, the 2nd respondent police conducted detailed enquiry and closed the same on 11.08.2020 on the basis that the complaint is purely civil in nature.

4.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondents 1 and 2.

5.It is seen that the entire allegations made in the complaint are purely civil in nature between the petitioners and the respondents 3 to 5. Further, they are none other than the close relatives of the petitioners. Now, the complaint lodged by the petitioners before the 2nd respondent police also closed as early as on 11.08.2020. That apart, the police protection as such sought for by the petitioners to enable them to shift the manufacturing unit cannot be considered by this Court. Therefore the petition is devoid of merits. Accordingly the Criminal Original Petition is dismissed. However, the petitioners are at liberty to approach the civil Court for appropriate relief, if so advised.

Sd/-

Assistant Registrar(CS)

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Sub Assistant Registrar

To

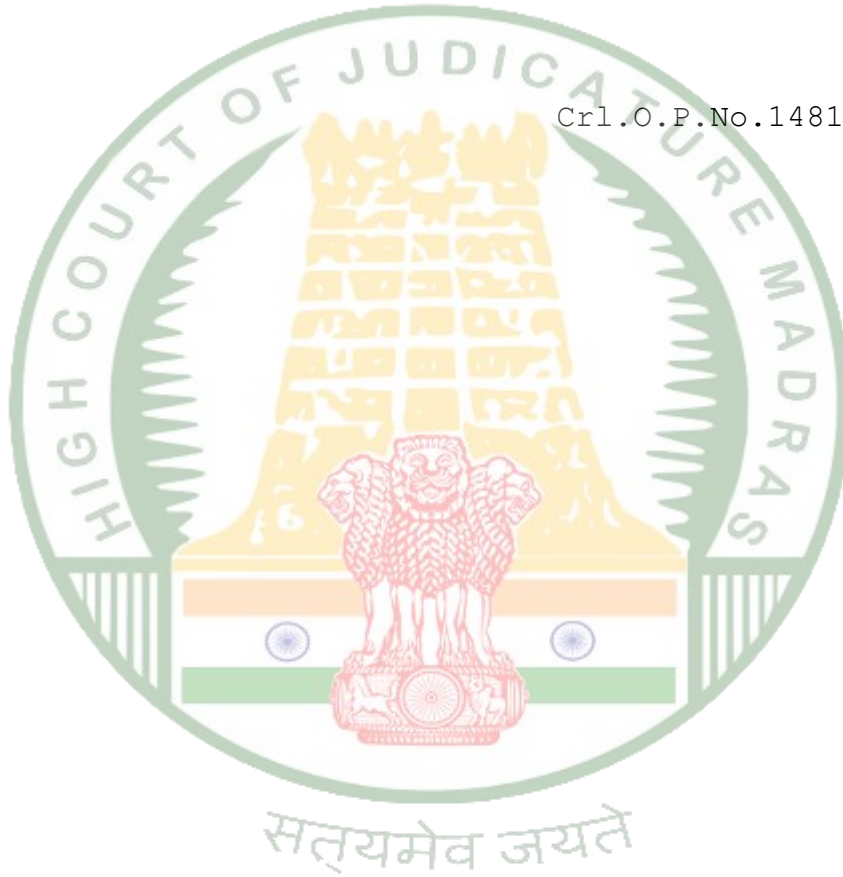
1.The Superintendent of Police
Namakkal District.

2.The Inspector of Police
Senthamangalam Police Station
Senthamangalam Taluk
Namakkal District.

3.The Public Prosecutor
High Court of Madras.

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