



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.10809 of 2020

K.Karthikkeyan

... Petitioner

Vs.

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

2.The State rep. by
The Inspector of Police,
(Law and Order)
Thirukkattupalli Police Station,
Thanjaur District.

3.TVS Credit Service Ltd.,
Representative by its Authorised Signatory,
Jeyalakshmi Estate,
No.29, Haddows Road,
Chennai - 600 006.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the 1st and 2nd respondents to give adjudicated police protection to petitioner and consider the petitioner's representation dated 26.09.2020.

For Petitioner : Mr.S.Krishnan

For Respondents : Mr.V.Neelakandan,
Addl. Public Prosecutor for R1 & R2.

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first and second respondents.

2.It is seen that the petitioner had availed finance facility from the third respondent in the year 2015. The petitioner does not appear to have repaid the loan. Therefore, the third respondent had invoked the arbitral remedy. An award is said to have been passed last year. The petitioner's counsel states that on account of Covid-19 pandemic, he is not able to raise the funds.

3.Be that as it may, this is a contractual dispute between the petitioner and the third respondent. The petitioner who is the defaulter cannot invoke the remedy under Section 482 of Cr.P.C.



Leaving open the rights of both parties, this criminal original petition is dismissed.

Sd/-

Assistant Registrar

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Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Superintendent of Police,
Thanjavur District,
Thanjavur.
- 2.The Inspector of Police,
(Law and Order)
Thirukkattupalli Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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PK(CO)

AP(20/10/2020) 2P 4C