



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2020

CORAM:

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.14590 of 2020

Sedhuraman

... Petitioner

Vs

1. The Superintendent of Police
Madurai District,
Madurai.
2. The Inspector of Police,
Thirumangalam Town Police Station,
Trichy City.
3. Siddharth
The Manager,
HDB Financial Services Ltd
No.248/B1, 1st Floor,
Rekha Towers,
Opp to Aarasamaram Pillayar Kovil,
Kamarajar Salai,
Madurai - 625 009.
4. Sri Velavan,
The Collection Agent,
HDB Financial Services Ltd,
No.248/B1, 1st Floor,
Rekha Towers,
Opp to Aarasamaram Pillayar Kovil,
Kamarajar Salai,
Madurai - 625 009.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondent Nos. 1 & 2 to give police protection to the life and limb of the petitioner and his family members, by considering his representation dated 03.12.2020, within the period that may be stipulated by this Court.

For Petitioner	:	Mr.R.Gandhi
For R1 & R2	:	Mr.V.Neelakandan
		Additional Public Prosecutor(Crl.Side)



O R D E R

This Criminal Original Petition has been filed to direct the respondent Nos. 1 & 2 to give police protection to the life and limb of the petitioner and his family members.

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2. The learned counsel for the petitioner would submit that the petitioner is doing a business in the name and style of "Sri Balaji Stores" in Thirumangalam Market. In 2017, he availed loan from HDB Financial Services Ltd and he was very prompt in paying the installments. Thereafter, due to Covid-19 pandemic, he was not able to run his business, thereby he could not pay the installment. The grievance of the petitioner is that, the 3rd respondent engaged the 4th respondent and threatening him under the guise of collecting installments. Hence, the petitioner has sent representation to the 1st and 2nd respondents, for giving police protection and the same was not considered. Hence, this petition.

3. The learned Additional Public Prosecutor (Crl. side) appearing on behalf of the respondents 1 & 2, on instructions, would submit that the complaint of the petitioner has been received by the respondent police and CSR No.474 of 2020 has been assigned on 10.12.2020 and the enquiry is pending.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Crl. Side) appearing for the respondents 1 & 2. Since no adverse order is going to be passed, notice to the respondent Nos.3 & 4 is dispensed with.

5. Recording the above submission made by the learned Additional Public Prosecutor, without going into the merits of the case, the respondents 1 & 2 are directed to consider and pass orders on the petitioner's complaint dated 03.12.2020 after giving opportunity to the respondent Nos.3 & 4, by following the principles laid down by the Hon'ble Apex Court in **D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610** and if it is found that police protection is necessary, the same may be given to the petitioner. The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

6. With the above directions, this criminal original petition is disposed of.

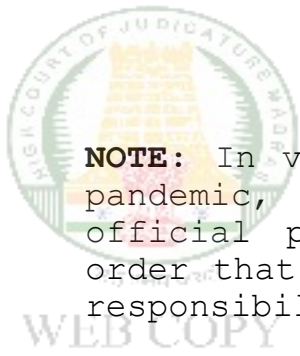
Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



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.

vrn

To:-

1. The Superintendent of Police
Madurai District,
Madurai.
2. The Inspector of Police,
Thirumangalam Town Police Station,
Trichy City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.GANDHI, Advocate (SR-25185[F] dated 11/12/2020)

Crl.O.P(MD)No.14590 of 2020
11.12.2020

SSS(CO)
CS(28.12.2020) 3P 5C