



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.15092 of 2020

Karuppu

... Petitioner

vs.

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

2. The Sub- Inspector of Police,
Kallikudi Police Station,
Madurai District.

3. Vedachi

4. Pandiammal

5. Pandi

6. Karthick

7. Saravanan

8. Seethai

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 to give police protection for life and limb of the petitioner, family members and his property.

For Petitioner : Mr.S.Muniyandi

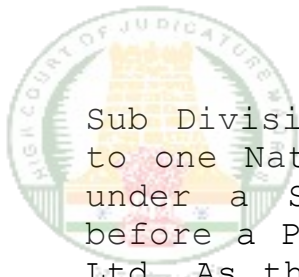
For For R1 and R2 : Mr.V.Neelakandan
Additional Public Prosecutor(Crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 and 2 to give police protection for life and limb of the petitioner, family members and his property.

2. The learned counsel for the petitioner would submit that the property in Old Survey No.329/8A in New Survey No.216/7 in Patta No.989 situated at Kurayoor Village Bit NO.II, Kallikudi

<https://hcservices.ecourts.gov.in/hcservices/>



Sub Division, Madurai South Registration, Madurai District belong to one Natarajan and the same was purchased by him on 26.08.2010 under a Sale Deed. The said Natarajan mortgaged the property before a Private Finance Company namely Five Star Business Finance Ltd. As the said Natarajan did not redeem the mortgaged property, the said Finance company took steps to auction the mortgaged property. Therefore, the respondents 3 to 7 approached the petitioner to remit the finance amount and a sum of Rs. 4,16,000/- was paid by the petitioner to the finance company and the respondents 3 to 5 were received a sum of Rs.1,50,000/-. Again the respondents 6 & 7 received a sum of Rs.12,16,000/- from the petitioner. Thereafter, the 3rd to 5th respondents have executed a sale deed in favour of the petitioner in respect of their share on 21.06.2019 and the 6th and 7th respondents have attested the sale deed. In the meantime, the 3rd to 8th respondents colluding with each other and trying to grab the petitioner's property. The petitioner was attacked by the respondent and threatened with dire consequences. The petitioner remitted all necessary tax to the government and the electricity connection also stands in the name of the petitioner. Hence, the petitioner lodged a complaint before the 2nd respondent on 05.07.2020, for giving police protection. Since no action has been taken, the petitioner is before this Court, with this present Criminal Original petition.

3.The learned Additional Public Prosecutor(Crl.side) appearing on behalf of the respondents 1 & 2, on instructions, would submit that the petitioner's first representation has been received in CSR No.70/2020 and the enquiry was conducted and it has been closed on 13.03.2020 based on the statement given by the petitioner that no further action is required on his complaint. Again the petitioner has given this second representation and the same has been assigned with CSR No.333 of 2020 on 17.12.2020 and the enquiry is pending.

4.Heard the learned counsel appearing 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 3 to 8 respondents is dispensed with.

5.Recording the above submission made by the learned Additional Public Prosecutor(Crl.side), without going into the merits of the case, the respondents 1 & 2 are directed to take action on the petitioner's representation dated 05.07.2020 after giving opportunity to the other side, 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 take appropriate action in the manner known to law, within a period of four 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 (Records)

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar (CS)

vrn

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,
Madurai District,
Madurai.
2. The Sub- Inspector of Police,
Kallikudi Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN

Crl.O.P. (MD)No.15092 of 2020

DATED : 18.12.2020

KG (CO)

TR(09.02.2021) 3P 4C