



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P. (MD)No.15187 of 2020

1.Vijayarani
2.Mahendran

... Petitioners

vs.

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Thiruparankundram,
Madurai District.
3. Sriram City Union Finance Ltd.,
Head Office, 55-515,
Agathiyar Road, Block 5,
Mogappair East,
Chennai, Tamil Nadu-600050.
Email Id: customersupport@shriramcity.com
4. The Branch Manager,
Sriram City Union Finance Ltd.,
No.12, East Cross Road,
1st Floor Sakthi Tower,
New LIG Colony,
Anna Nagar (Near Navin Bakery),
Madurai-625 020.
Email Id: scufannanagar@gmail.com
5. The Branch Manager (Recovery),
Sriram City Union Finance Ltd.,
No:2 Sivananthasalai, 2nd Floor,
Arapalayam Cross Road, Madurai - 625 016.
6. Raja
S/o.Not Known,
Branch Manager,
Sriram City Union Finance Ltd.,
No:2 Sivananthasalai, 2nd Floor,
Arapalayam Cross Road, Madurai - 625 016.



7. Karthik,
S/o.Not Known,
Sriram City Union Finance Ltd.,
No:2 Sivananthasalai, 2nd Floor,
Arapalayam Cross Road, Madurai - 625 016.
Mob.No.7402703041.

8. Ayyappan,
S/o.Not Known,
Sriram City Union Finance Ltd.,
No:2 Sivananthasalai, 2nd Floor,
Arapalayam Cross Road, Madurai - 625 016.
Mob.No.7373798201.

9. Moovendran,
S/o.Not Known,
Sriram City Union Finance Ltd.,
No:2 Sivananthasalai, 2nd Floor,
Arapalayam Cross Road, Madurai - 625 016.
Mob.No.7708041426.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first and second respondents to take appropriate action on the petitioners' complaint in C.S.R.No.218 of 2020, dated 25.08.2020 registered on the file of the second respondent police and to protect the petitioners and their family members residing at 15-10, Seenivasanagar, Karumariamman Street, Thirupparankundram and further direct the respondents 3 to 5 to follow the law before the appropriate forum.

For Petitioners	: Mr.P.M.Vishnuvarthanan
For R1 & R2	: Mr.V.Neelakandan
	Additional Public Prosecutor

ORDER

This criminal original petition has been filed to direct the respondents 1 and 2 to take appropriate action on the petitioners' complaint in C.S.R.No.218 of 2020, dated 25.08.2020 registered on the file of the 2nd respondent police and give protection to the petitioners and their family members residing at 15-10, Seenivasanagar, Karumariamman Street, Thirupparankundram and further direct the respondents 3 to 5 to follow the law before the appropriate forum.

2.The learned counsel for the petitioner would state that the 1st petitioner borrowed loan of Rs.4,31,000/- from the respondents 3 and 4/financial institutions and the 2nd petitioner, who is her sister, gave collateral security of the 1st petitioner's property. The 3rd respondent insisted the 2nd petitioner to take up



another loan of Rs.7,00,000/- citing benefit in the interest part and the 2nd respondent borrowed the said loan amount. According to the petitioners, the 3rd respondent charged heavy interest and they had not scheduled the EMI in proper date which resulted in bouncing of the cheque presented by the petitioners. The grievance of the petitioners is that the 3rd respondent has not considered one time settlement of loan amount. While so, the 5th respondent/recovery manager threatened the petitioners to pay the entire amount in lumpsum with huge interest. Therefore, the petitioners lodged a complaint before the 2nd respondent/police, but no action was taken, whereas the petitioners were harassed by the police under the guise of enquiry and the original property document of the 1st petitioner which was given as security, was misplaced by the 4th respondent and the petitioners now undertake that if the document of the 1st petitioner is produced before this Court without any condition, the petitioners are ready to settle the entire amount in one lumpsum. Hence, this petition.

3.The learned Additional Public Prosecutor appearing for the respondents 1 and 2/police, on instructions, would state that based on the complaint given by the petitioner, enquiry in C.S.R.No.218 of 2020, dated 25.08.2020 is pending.

4.Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the respondents 1 and 2. Since no adverse order is going to be passed against the respondents 3 to 9, notice to them is not necessary.

5.Considering the facts and circumstances of the case, without going into the merits of the case, the respondents/police are directed to consider the complaint of the petitioner in C.S.R.No.218 of 2020, dated 25.08.2020 and take appropriate action in accordance with law after giving opportunity to the alleged accused persons, within a period of four weeks from the date of receipt of a copy of this order.

With the above directions, this Criminal Original Petition is disposed of.

Sd/-

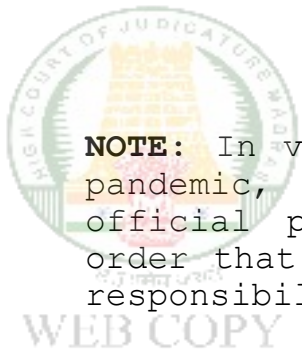
Assistant Registrar (AD-II)

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/ /2021

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,
Madurai District, Madurai.
2. The Inspector of Police,
Thiruparankundram,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.P.M.Vishnuvarthanan, Advocate, SR.No.26372.

ORDER MADE IN
CrI.O.P.(MD)No.15187 of 2020
DATED : 18.12.2020

ES (CO)
CS (20.01.2021) 4P 4C