



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.20609 OF 2020

P.Sivakumar

... Petitioner

Versus

1. The Superintendent of Police
Cuddalore
Cuddalore-District.

2. The Deputy Superintendent of Police
Superintendent office
Tittagudi
Cuddalore District.

3. The Inspector of Police
Tittagudi Police Station
Cuddalore-District.

4. Ayyamperumal

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent 2 & 3rd respondent to provide the police protection by considering petitioner's representation dated on 26.11.2020.

For Petitioner : Mr.Thiyagarajan for
Mr.R.Rajesh

For Respondents: Mr.E.Raj Thilak for R1 to R3
Addl. Public Prosecutor
Ms.J.Bhavani for R4

ORDER

The petitioner is running a P.S.Jewelers business for the past 23 years. In the year 2013, he has taken loan for this business for which the petitioner's father-in-law Ayyamperumal had given his property as surety. Since the loan re-payment was defaulted, the property was attached. The 4th respondent forced the petitioner to hand over any of his property to them which



was agreed at the limit of 5 months. Thereafter, the father-in-law had lodged a complaint as though the petitioner had abused and threatened him. The petitioner was taken to the 3rd respondent Police Station and he was forced to sign unregistered document on 26.02.2020. While attending a family function, the 4th respondent abused and attacked the petitioner and one Dhanavel. The petitioner and the said Dhanavel were given treatment in the Government Hospital, Thittagudi. On 03.06.2020 the petitioner had lodged a complaint and C.S.R.No.161 of 2020 was assigned. The petitioner had paid a sum of Rs.7,00,000/- on 05.08.2020 and further paid Rs.2,25,000/- on 13.09.2020 and settled the issue with the 4th respondent in the presence of witnesses. Suppressing the same, the 4th respondent had given a complaint to the Superintendent of Police, based on which the petitioner had been called for enquiry and harassed.

2. The learned counsel for the the 4th respondent submitted that the petitioner is Son-in-Law and for his bank loan, the petitioner had given his father-in-law's property as surety. As the petitioner had not paid the bank, the 4th respondent's property had to be auctioned to retrieve from charges. At that time, the petitioner agreed to repay the loan amount, had later cheated and failed to make the payment. When the same was questioned, the 4th respondent assaulted the petitioner. The 4th respondent, being the surety, gave a complaint to the Superintendent of Police on the petitioner and the petitioner called for enquiry, suppressing the real facts has projected as though the 4th respondent had attempted to assault him.

3. The learned Additional Public Prosecutor submitted that it is a dispute between the father-in-law and son-in-law and that too of a money transaction. Earlier there was a similar complaint where both the parties were called and agreed to settle the issue within the family amicable. Now again similar complaint has been lodged.

4. The learned counsel for the petitioner and the learned counsel for the 4th respondent agreed to appear before the respondent police on 06.12.2021 and to resolve the issue amicably.

5. Recordings the same, the above Criminal Original petition is disposed of.

Sd/-
Assistant Registrar(CO)

//True Copy//

vkrr/mpl

Sub Assistant Registrar



To

1. The Superintendent of Police
Cuddalore
Cuddalore-District

2. The Deputy Superintendent of Police
Superintendent office
Tittagudi
Cuddalore District

3. The Inspector of Police
Tittagudi Police Station
Cuddalore-District

4. The Public Prosecutor,
High Court, Madras.

+1cc to Ms.J.Bhavani, Advocate, S.R.No.61824

CRL.O.P.No.20609 of 2021

KSM(CO)
PM/09/12/2021