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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

CRL.O.P.NO.9755 OF 2017

M/s.Asveens Forging Pvt. Ltd.,
Represented by its Director,
Bhagyaprabha Dhanasamy

... Petitioner

.Vs.

1. The Deputy Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The Inspector of Police,
B-2, Taluk Police Station,
Thiruvallur.
3. The Authorised Officer,
State Bank of India,
Stressed Assets Management Branch,
32, Montieth Road,
"Red Cross Buildings",
Egmore, Chennai - 600 008.
4. A.Manickaraj,
5. The Tamilnadu Small Industries Development
Corporation Ltd.,
SIDCO Branch Office,
SIDCO Industrial Estate,
Kakalur - 602 003.

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 Cr.P.C.,
to direct the first and second respondents to render Police
protection to petitioner factory premises at G-16, SIDCO
Industrial estate, Kakallur, Thiruvallur.



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For Petitioner : Mr.Pravin
For Mr.P.Jesus Moris Ravi

For R1, R2 and R5 : Mr.E.Raj Thilak
Additional Public Prosecutor

For R3 : Mr.M.L.Ganesh

For R4 : Mrs.A.Sumathy

ORDER

Keeping this petition on the file of this Court would be extremely inappropriate, in view of the facts stated by the learned Counsels for the respondents herein.

2. Mr.E.Raj Thilak, learned Additional Public Prosecutor stated that C.S.R.No.241 of 2016 had been closed way back on 30.04.2016. On that ground itself, the Court can hold that nothing further survives for adjudication in the present matter.

3. However, Mr.M.L.Ganesh, learned Counsel for the third respondent states that the property, which had been purchased, had been handed over to the bank authorities by the official liquidator, in view of the fact that the petitioner herein had been declared as insolvent.

4. Subsequently, the challenges made by the petitioner before the High Court, by filing Writ Petition, have all ended unsuccessfully. The order, passed by the Debt Recovery Tribunal in favour of the third respondent, confirming sale of the property, had also been confirmed by the Debt Recovery Appellate Tribunal.

5. The learned Counsel stated that, after following due process, the said property had been sold and it is in the possession of the fourth respondent.

6. Mrs.A.Sumathy, learned Counsel for the fourth respondent/auction purchaser states that the possession of the property had been given in the year 2017 and the fourth respondent is in actual, physical possession of the property. It is also stated that sale certificate had also been issued.



7. Recording all these statements, the present Criminal Original Petition is dismissed.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

grs

To

1. The Deputy Superintendent of Police,
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Thiruvallur.
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BS (CO)
PBS/28/10/2021