

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.06.2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.2479 of 2022

Sumit Saraswat

...Petitioner

Vs

1. The State represented by
The Inspector of Police,
E3 Minjur Police Station,
TH Road, Ponneri Taluk,
Minjur, Thiruvallau District.
(Ref CSR No.1001/2021 dated 25.11.2021)

2. A.Balanantham

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the first respondent police to give adequate police protection to move out 1267 containers belonging to the petitioner/complainant in the illegal custody of second respondent at Searock Container Terminal.

For Petitioner : Mr.C.Arunkumar

For Respondents : Mr.A.Gokulakrishnan for R1,
Additional Public Prosecutor

Mr.M.Mohideen Pitchai for R2.

O R D E R

This Criminal Original Petition has been filed seeking direction to the first respondent police to give adequate police protection to move out 1267 containers belonging to the petitioner/complainant in the illegal custody of second respondent at Searock Container Terminal.

2. Learned counsel for the petitioner would submit that pursuant to the order of the National Company Law Tribunal, Kolkata in CP(IB) No.1444/KB/2018 dated 09.04.2021, the containers have been lifted on daily basis and the same will be completed at the end of July. Therefore, he seeks to post this matter after July.

3. Heard learned counsel for the petitioner and the learned counsel for the respondents.

4. Considering the fact that there is an order already passed by the National Company Law Tribunal, Kolkata and the containers have been lifted on regular basis, this Court is of the view that no further order is required to move out the containers. If any disturbance is made, the petitioner is at liberty to lodge a complaint before the police and the police shall act based on the order passed by the National Company Law Tribunal, Kolkata.

5. Accordingly, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

shk/ham

To

1.The Inspector of Police,
E3 Minjur Police Station,
TH Road, Ponneri Taluk,
Minjur, Thiruvallau District.

2.The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.C.Arunkumar, Advocate SR. No. 40172

+1cc to Mr.M.Mohideen Pitchai, Advocate SR. No. 40183

Cr1.O.P.No.2479 of 2022

SKM (CO)
PR (13/07/2022)