



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8909 of 2022

R.Gunasekaran

...Petitioner

Vs.

1. The Superintendent of Police,
Tiruppur District,
Tiruppur.
2. The Inspector of Police,
Kangayam Police Station,
Kangayam, Tiruppur (District).
3. D.Arun Pradeep
4. S.Karthikeyan

...Respondents

PRAYER:The Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct first and second respondents herein to provide police protection to the petitioner's petrol bunk business at Survey No.664/2A1 of Kangayam Village in Kangayam-Coimbatore NH-67.

For Petitioner : Mr.R.K.Chandramohan

For Respondents : Mr.A.Gokulakrishnan for R1 & R2,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the first and second respondents to provide police protection to the petitioner's petrol bunk situated at Survey No.664/2A1 of Kangayam Village in Kangayam-Coimbatore NH-67.

2. Learned Senior counsel appearing for the petitioner would submit that the third respondent's father, who is the owner of the property at Survey No.664 of 2A1 of Kangayam Village, had entered into a lease agreement on 08.01.2014 with M/S.Bharath Petroleum Corporation Ltd., to run petrol bunk for a period of 29 years from 01.01.2014. Pursuant to the lease, the petitioner



was granted licence by M/S.Bharath Petroleum Corporation Ltd., to run the petrol bunk on 03.03.2014. During the last week of December 2021, the petitioner got infected by Covid and he was hospitalised. The third respondent taking advantage of the same in the guise of offering to help the petitioner in managing the bunk, had sold the stocks available as on 01.01.2022 worth Rs.24,03,741/- and misappropriated the entire amount. After recovering from Covid, the petitioner had attempted to take charge of the petrol bunk, whereas, the third respondent and his henchmen are preventing the petitioner from taking charge of the petrol bunk. He would submit that the Bharath Petroleum has also sent a mail dated 28.02.2022 asking the petitioner to take note of the stocks as a licensee and custodian of the retail outlet. The petitioner is responsible for the conduct of business. However, he was unable to check the stocks for Bharath Petroleum Corporation Ltd., and thereby, the petitioner has given a complaint to the second respondent on 30.01.2022 . However, no action has been taken by the second respondent. Thereby, the present petition has been filed seeking for police protection.

3.Mr.A.Gokulakrishnan, learned Additional Government Pleader would submit that there is a dispute between the petitioner and the third respondent with regard to running the petrol bunk. The petitioner is the licensee. He would submit that due enquiry would be conducted based on the representation of the petitioner dated 30.01.2022 and if necessary police protection would be given to the petitioner.

4.Recording the submission of the learned Additional Public Prosecutor direction is issued to the second respondent to summon respondents 3 and 4 within two weeks from the date of receipt of a copy of the order and conduct enquiry and afford police protection to the petitioner, if necessary.

5.With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

shk/sai



To

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

2. The Inspector of Police,
Kangeyam Police Station,
Kangeyam, Tiruppur (District).

3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.R.K.Chandramohan, Advocate, S.R.No.26811

Cr1.O.P.No.8909 of 2022

SPD(CO)
RGA(29/04/2022)