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Crl.O.P.No.29625 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.29625 of 2022

Sampath Kumar

... Petitioner

Vs.

1. The Superintendent of Police,
Tirupur District, Tirupur.
2. The Deputy Superintendent of Police,
Udumalpet.
3. The Inspector of Police,
Udumalpet Town Police Station,
Udumalpet.
4. The Inspector of Police,
District Crime Branch,
Tirupur District, Tirupur.
5. Natarajan
6. P.Thennarasu
7. T.Pushpa
8. Arivazhagan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents 1 to 4 to provide police protection to the petitioner and his property by considering the petitioner's complaint dated 17.10.2022 within a stipulated time frame and pass such further or other suitable orders as this Hon'ble Court deems fit and proper in the circumstances of the case.



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For Petitioner : Mr.D.R.Arun Kumar
For Respondents : Mr.S.Santhosh,
Govt. Advocate (Crl.Side) for R1 to R4

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 to 4 to provide police protection to the petitioner and his property by considering the petitioner's complaint dated 17.10.2022 within a stipulated time frame.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents.

3. The learned counsel for the petitioner submitted that the petitioner had availed a loan of Rs.20 lakhs from the 7th respondent by way of executing sale deed in respect of the subject property on 22.04.2019 in favour of the 7th respondent; on the same day, 7th respondent has executed an undertaking deed by stating that he would reconvey the property in favour of the petitioner in the event of his repayment of loan amount fully; subsequently, the petitioner offered the repayment of Rs.20 lakhs to the 7th respondent, but the 7th respondent refused to reconvey the property by demanding higher interest. Hence, the petitioner has given a complaint to the first respondent police, so



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far no action has been taken; now the petitioner learnt that the 7th respondent executed the sale deed in favour of the 8th respondent and trespassed in the petitioner's property. Hence, the petitioner has filed the present petition seeking police protection.

4. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that on the complaint given by the petitioner, the current paper enquiry has been initiated in C.No.190/SD04/SP-GDP/2022 and the same has been closed on 27.10.2022, since the matter is civil in nature.

5. Since the matter is purely civil in nature and the complainant himself made an undertaking that he will work out his remedy before the Civil Court, police protection is not necessary in this matter.

6. With the above observations, this Criminal Original Petition is closed.

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Index: Yes/No

Speaking / Non Speaking Order
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R.N.MANJULA, J.

kmi

To

1. The Superintendent of Police,
Tirupur District,
Tirupur.
2. The Deputy Superintendent of Police,
Udumalpet.
3. The Inspector of Police,
Udumalpet Town Police Station,
Udumalpet.
4. The Inspector of Police,
District Crime Branch,
Tirupur District, Tirupur.
5. The Public Prosecutor,
High Court, Madras.

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