



Crl.O.P.(MD) No.12587 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.07.2022

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THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12587 of 2022

Perumal

... Petitioner

Vs

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Superintendent of Police,
Madurai, Madurai District.
3. The Inspector of Police,
Anna Nagar Police Station,
Madurai.
4. Raman

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to issue a direction to the respondents No.1 to 3 to provide adequate police protection to the petitioner for his life, limb and property in S.No. 66/1A & S.No.66/2, C-Block, Plot No.1, Managiri Village, Madurai District measuring about 2460 sq.ft by considering the petitioner's representation dated 21.06.2022.



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For Petitioner : Mr.R.Maheswaran

For R1 to R3 : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to the respondents No.1 to 3 to provide adequate police protection to the petitioner for his life, limb and property in S.No.66/1A & S.No.66/2, C-Block, Plot No.1, Managiri Village, Madurai District measuring about 2460 sq.ft by considering the petitioner's representation, dated 21.06.2022.

2. The learned counsel for the petitioner submitted that there is a dispute between the petitioner and the fourth respondent with regard to sale of the property in S.No.66/1A & S.No.66/2, C-Block, Plot No.1, Managiri Village, Madurai District measuring about 2460 sq.ft. In this regard, according to the petitioner, the 4th respondent approached him through his relatives and decided to sell his property to him and sale consideration was fixed at Rs.20,00,000/- (Rupees Twenty Lakhs). After passing of 7 months from the date of execution of sale deed i.e., on 13.10.2013, the 4th respondent has lodged a false complaint before the Karuppayoorani Police



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Station, Madurai. The case has been registered in Crime No.400 of 2013 for the offences under Section 506(i) I.P.C and 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act. After investigation, charge sheet has been filed and the same was taken on file in C.C.No.836 of 2019, pending on the file of the Judicial Magistrate No.I, Madurai. Mean while, the 4th respondent has filed a suit in O.S.No.143 of 2014, which was dismissed and now, the appeal is pending before the IV Additional District Judge, Madurai. In these circumstances, he seeks police protection in the disputed property.

3. The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3 submitted that the representation of the petitioner, dated 21.06.2022 is pending.

4. I have considered the matter in the light of the submissions made by the learned counsel on either side.

5. On a perusal of the records, it reveals that the petitioner was worked as Deputy Commissioner in the Commercial Tax Department and



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got retired from his service. The fourth respondent is also worked in the Commercial Tax Department. There is a dispute between the petitioner and the fourth respondent. According to the petitioner, he purchased the property by sale consideration of Rs.20,00,000/- (Rupees Twenty Lakhs only). According to the fourth respondent, he received money as a loan. In this connection, there is a dispute between them. The 4th respondent gave a complaint against this petitioner. The case has been registered in Crime No. 400 of 2013 for the offences under Section 506(i) I.P.C and 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act. Meanwhile, the 4th respondent has filed a suit in O.S.No.143 of 2014 on the file of the IV Additional District Judge, Madurai District as null and void which was dismissed on 04.12.2021. In these circumstances, the petitioner seeks police protection.

6. Considering the facts and circumstances of the case and also considering the fact that, the property in dispute originally belongs to the fourth respondent, the petitioner, purchased the property by way of sale deed, dated 11.03.2013. Due to the property dispute, the case has been registered against the petitioner in Crime No.400 of 2013 for the offences



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under Section 506(i) I.P.C and 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act. Therefore, the police protection cannot be provided to the property. In these circumstances, I find that there is no merit in this petition.

7. Accordingly, this Criminal Original Petition is dismissed.

13.07.2022

Internet: Yes./No
Index: Yes/no
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To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Superintendent of Police,
Madurai,
Madurai District.
3. The Inspector of Police,
Anna Nagar Police Station,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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V.SIVAGNANAM, J.

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ORDER IN
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