



Crl.O.P.No.19348 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:02.09.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.19348 of 2024

K.M.R.Rathinasamy

..Petitioner

/versus/

1.The Superintendent of Police,
Erode.

2.Inspector of Police,
Erode North Police Station,
Erode.

3.Rajamani

4.Sakthi Ganesh

.. Respondents

Criminal Original Petition has been filed under Section 528 of BNSS to direct the respondents 1 to 2 to provide police protection for the life and liberty of the petitioner and his family members which is stated in the petitioner's complainant dated 18.07.2024.



Crl.O.P.No.19348 of 2024

For Petitioner :Mr.J.Ranjthkumar
For R1 & R2 :Mr.S.Udayakumar
Govt.Advocate (Crl.Side)
For R3 and R4 :Mr.M.Guruprasad

ORDER

This petition is filed seeking police protection for the life and liberty of the petitioner and his family members, which is stated in the petitioner's complainant dated 18.07.2024.

2.According to the petitioner, his property been fraudulently transferred in favour of the private respondents in connivance with other accused and hence, a complaint given to the police is under investigation. To withdraw the said complaint, the private respondents 3 and 4 are intimidating him to face dire consequence but his complaint has not been withdrawn.

3.The learned Government Advocate (Crl.Side) filed a counter stating that the dispute is regarding sale of property. The investigation *prima facie* indicates that a false life certificate been relied upon for



Crl.O.P.No.19348 of 2024

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transfer of property. Hence, the investigation is under way. Out of eight suspects, 6 accused have already been arrested and the respondents 3 and 4 are not yet arrested.

4. The learned counsel appearing for the private respondents 3 and 4 submitted that they are fully co-operating with the investigation and they are the bona fide purchasers from one Sivasambu, who purchased the property from one N.S.Babu, who is the purchaser from the complainant. Further, he submitted that they have not put the petitioner under any threat or fear. They are the bona fide purchasers and paid the sale value. To extract more money, the present complaint has been frivolously given.

5. Considering the submissions made on either side and the counter affidavit filed by the learned Government Advocate, it is appropriate to dispose of this petition with a direction to the respondents police 1 and 2 that if there is any material placed by the petitioner for substantiating his allegation of life threat, the same has to be considered, in accordance with law. Accordingly, this Criminal Original Petition is



Crl.O.P.No.19348 of 2024

disposed of.

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02.09.2024

Index:yes/no
Neutral citation:yes/no
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To:

- 1.The Superintendent of Police, Erode.
- 2.Inspector of Police, Erode North Police Station, Erode.
- 3.The Public Prosecutor, High Court, Madras.

DR.G.JAYACHANDRAN,J.



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Crl.O.P.No.19348 of 2024

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Crl.O.P.No.19348 of 2024

02.09.2024