



WEB COPY

WP CrI. No. 744 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

WP CrI. No. 744 of 2026

A.Sathish Kumar
Rep by its Vice President,
The Authorized Officer,
Kotak Mahindra Bank Limited,
Having Branch at 1st floor, Sonia Plaza,
State Bank Colony,
Meyyanur,
Salem-636004.
Also at Legal Dept, 4th floor, Samson Towers,
Pantheon Road, Egmore, Chennai.

..Petitioner(s)

Vs

1. The Commissioner of Police,
Salem City,
Having office at Office of Commissioner of
Police,
Annathanapatti, Sankari Main road, Salem.
2. The Assistant Commissioner of Police,
Ammapettai Range, Salem City.
Having Office at Office of Assistant
Commissioner of Police,
Ammapettai Range, Salem City,
Ayothyapattinam,
Salem.
3. The Inspector of Police,
Ammapettai Police Station, Salem City, Salem.

..Respondent(s)



Prayer : Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to provide adequate Police assistance and protection to the Advocate Commissioner and the petitioner to execute the order under section 14 of the SARFAESI Act passed in CrI.MP.No.1163 of 2023 by the learned Chief Judicial Magistrate of Salem on 12.8.2025 immediately.

For Petitioner(s): Mr.T K M SAI KRISHNAN

For Respondent(s): M/S. LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PP ASSISTED BY
Mr.HARSHANA. T

ORDER

This Writ Petition has been filed to direct the respondents to provide adequate Police assistance and protection to the Advocate Commissioner and the petitioner to execute the order under section 14 of the SARFAESI Act passed in CrI.MP.No.1163 of 2023 by the learned Chief Judicial Magistrate of Salem on 12.8.2025.

2. The contention of the petitioner is that the Vice President of the Kotak Mahindra Bank Limited had sought for police protection for the reason that M/s.Muhi Faship, represented by its Proprietor Mr.Shobarani had availed finance assistance from the petitioner bank to the tune of Rs.1,50,00,000/- and produced security documents and the bank had sanctioned the loan and



thereafter, as the petitioner has failed to repay the loan, the said loan account has been classified as Non Performing Asset on 30.06.2016 and therefore, SARFAESI proceedings has been initiated and the petitioner bank had obtained Order under section 14 of the SARFAESI Act from the learned Chief Judicial Magistrate, Salem in CrI.M.P.No.1163 and issued warrant to the Advocate Commissioner and to execute the warrant the Advocate Commissioner was permitted to break open the premises. The learned Chief Judicial Magistrate had also addressed to the Commissioner of Police, Salem City to accord necessary police protection to the Advocate Commissioner. Notice has also been issued to the revenue authorities. The grievance of the petitioner is that though the Advocate Commissioner has given a request to the Deputy Commissioner of Police to provide police protection, the same has not been given to the Advocate Commissioner. Hence, the present Writ Petition.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that as most of the police have been deputed for election work due to forthcoming general elections, the respondents are not in a position to provide police protection to the Advocate Commissioner and if the Advocate Commissioner approaches the Inspector of Police, Ammapettai Police Station, Salem City, necessary police protection will be given to the Advocate Commissioner.



4. In view of the submissions of the learned Additional Public Prosecutor, the petitioner and the Advocate Commissioner shall approach the Inspector of Police, Ammapettai Police Station for police protection after general election and on such request being made, the third respondent shall provide necessary protection to execute the warrant issued by the learned Chief Judicial Magistrate, Salem.

5. With the above directions, this Writ Petition Criminal is disposed of.

06-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
vrc

To

1. The Commissioner of Police,
Salem City,
Having office at Office of Commissioner of Police,
Annathanapatti, Sankari Main road, Salem.
2. The Assistant Commissioner of Police,
Ammapettai Range, Salem City.
Having Office at Office of Assistant Commissioner of Police,
Ammapettai Range, Salem City, Ayothyapattinam,
Salem.
3. The Inspector of Police,
Ammapettai Police Station, Salem City, Salem.
4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

VRC

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