

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.12.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.5528 of 2014

N.Muthuraj Petitioner

Vs.

1.State rep. By
The Deputy Superintendent of Police,
Mettur, Salem District.

2.The Inspector of Police,
Kolathur Police Station,
Mettur Taluk, Salem District.

3.The Manager,
Sri Lakshmi Finance,
Perasiriyar Complex, Vaikuntham Road,
Konganapuram, Edapadi Taluk,
Salem District. Respondents

(Impleaded the 3rd respondent as per
order of this Court dated 18.3.2014)

Criminal Original Petition filed under Section 482 of
Cr.P.C., praying to direct the respondents police to register a
complaint and investigate the case on the basis of the
petitioner's complaint dated 02.01.2014.

For Petitioner : Mr.A.Gokulakrishnan

For Respondent : Mr.K.Prabakar, GA [Crl. Side]
Nos.1 & 2

O R D E R

This petition has been filed to direct the respondents'
police to register a complaint and investigate the case on the
basis of the petitioner's complaint dated 02.01.2014.

2.Since this case is pending on the file of this Court from
March 2014, this Court perused the materials available on record
thoroughly before passing the following order.

3.On reading of the complaint dated 02.01.2014, it is seen that the petitioner had purchased a lorry bearing registration No.TN 34 D 6129 under hire purchase from Sri Lakshmi Financiers and that the said officials have taken re-possession of the vehicle on account of default committed by the petitioner. It is alleged by the petitioner that even though he paid the entire dues, the officials of the said Finance Company are not returning the same.

4.In the considered opinion of this Court, this dispute is essentially contractual in nature, based on a hire purchase agreement and hence, police cannot be directed to adjudicate such disputes. In view of the same, this Criminal Original Petition is closed. However, the petitioner is at liberty to work out his remedy in the manner known to law.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

DP

To

1.The Deputy Superintendent of Police,
Mettur, Salem District.

2.The Inspector of Police,
Kolathur Police Station,
Mettur Taluk, Salem District.

3.The Public Prosecutor,
High Court, Madras

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