

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.12.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.5553 of 2014

P.Magheshkumar

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Namakkal District.

2.The Inspector of Police,
Pallipalayam Police Station,
Tiruchengode (TK),
Namakkal District.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the second respondent to register a case on the basis of the petitioner's complaint dated 23.12.2013 which was forwarded by the first respondent.

For Petitioner : Mr.K.Gandhi Kumar

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

O R D E R

This petition has been filed to direct the second respondent to register a case on the basis of the petitioner's complaint dated 23.12.2013.

2.Heard the learned counsel for the petitioner as well as the learned Government Advocate [Crl. Side] for the respondents 1 & 2 and perused the materials available on record.

3.On reading of the complaint dated 23.12.2013, it is seen that the petitioner had purchased poclain under hire purchase. On account of ill health, he is not able to pay the dues properly. It is further stated that the agents of the finance company are harassing the petitioner. It is well settled law that finance company is entitled to take repossession of the said vehicle. In the case of this nature,

no positive direction can be issued to the respondent police in regard to the petitioner's complaint dated 23.12.2013. Under such circumstances, this Criminal Original Petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-
Assistant Registrar(CS V)

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Sub Assistant Registrar

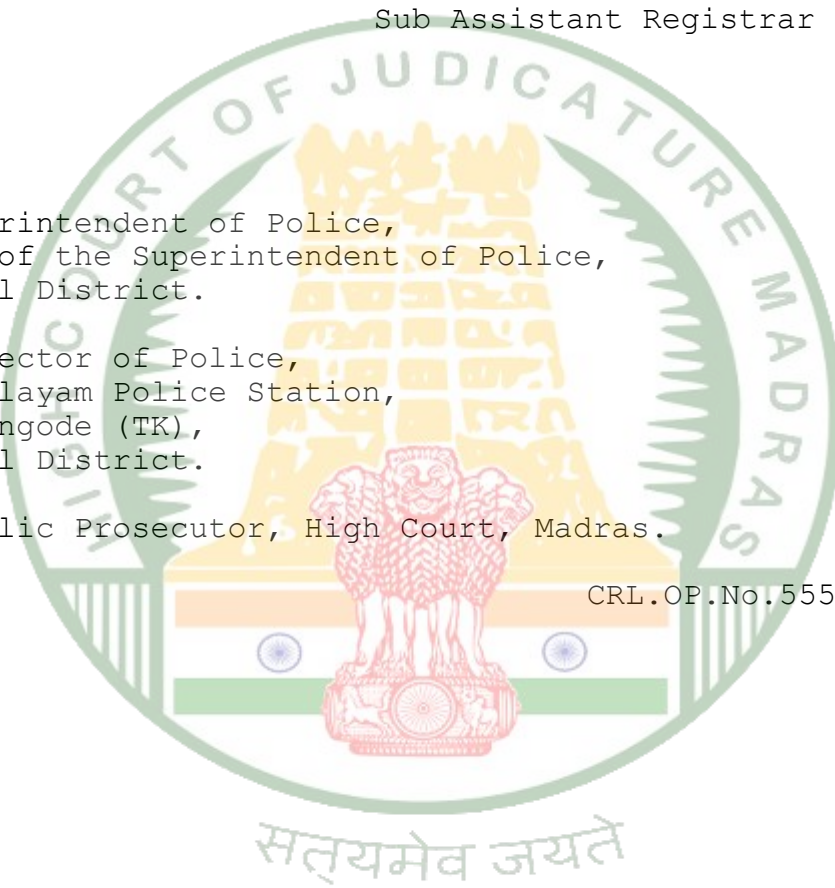
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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Namakkal District.
- 2.The Inspector of Police,
Pallipalayam Police Station,
Tiruchengode (TK),
Namakkal District.
3. The Public Prosecutor, High Court, Madras.

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NM(CO)
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