

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.Nos.1720 of 2022

M/s.Manapuram Finance Ltd.,
Venkateshpuram Peramballur
Building No.318/10, 1st Floor,
Near Annai Hospital,
Trichy Main Road, Venkateshpuram,
Peramballur District, Pin-621 212.
Represented by its Authorized signatory
Mr.Maniarasan ... Petitioner

Versus

- 1.Superintendent of Police,
Peramballur.
2. Inspector of Police,
Mangalamedu police station,
Perambalur District- 621 115. ... Respondents

PRAYER: Criminal Original Petitions have been filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register a case on the basis of the complaint given by the petitioner dated 07.12.2021 against the abovesaid person named in the complaint and investigate into the matter.

For Petitioner : Ms.Priyanka
for Ms.K.Sahithya

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to direct the respondent police to register a case on the basis of the complaint given by the petitioner dated 07.12.2021 against the abovesaid person named in the complaint and investigate into the matter.

2.The grievance of the petitioner is that the petitioner finance company is extending several loans under various schemes. One of them is Hypothecation to vehicles. The petitioner is a registered Non Banking Finance Company. In

course of their business, one Mr.Paneerselvam and his wife Mrs.Nithya had taken a vehicle loan for purchase of the vehicle bearing registration No.TN 60 H 9079 (Model:SFC407 BUS). The vehicle was under hypothecation and the relevant vehicle documents are with the complainant. That being the case, the accused committed defaults in repayment of loan on due dates. Despite repeated requests the accused neither repaid the due amounts nor surrendered the asset belonging to the petitioner and they are trying to alienate the vehicle. Hence, the petitioner lodged a complaint before the second respondent on 07.12.2021 and first respondent on 11.12.2021 along with the relevant documents. The respondent police, for the reason best known, have not chosen to take action on the said complaint. Hence, this petition.

3.The learned Additional Public Prosecutor submits that they have not received the complaint alleged to have been sent by the petitioner.

4.From the perusal of the typed set of papers and documents, prima facie offence is made out. In view of the same, the petitioner is directed to appear before the second respondent on 08.02.2022, along with copy of the complaint dated 07.12.2021 as well as the relevant documents and on receipt of the same, the second respondent is directed to conduct enquiry and register an FIR and to take appropriate action.

5.With the abovesaid direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

arr

To

1.The Superintendent of Police,
Peramballur.

2. The Inspector of Police,
Mangalamedu police station,
Perambalur District- 621 115

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.K.Sahithya, Advocate, S.R.No.5302

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KSM(CO)
GN(01/02/2022)