



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.2125 OF 2022

M/s.Manapuram Finance Ltd.,
Door No.10, ATS 18, 1st Floor,
Opp. to Shanthi Theater,
Dhadubai Kuttai,
AA Road, Salem District,
Pincode - 636 001,
Rep. by its Authorized Signatory,
Mr.Maniarasan.

... Petitioner

Versus

1. The Superintendent of Police,
Salem.
2. The Inspector of Police,
Kolathur Police Station,
Salem District.

... Respondents

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

For Petitioner : Ms.K.Sahithya

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

O R D E R

This Criminal Original Petition has been filed to direct the second respondent police to register a case on the basis of the complaint given by the petitioner dated 07.12.2021 against the above said 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 Saravanan and Mariyappan had taken a vehicle loan for the vehicle bearing registration No.KA 51 C 5753. The vehicle was under hypothecation and the relevant vehicle documents are with the complainant. Suppressing the same, in connivance with others, by creating forged documents, the vehicle to be sold to third persons. Now, the persons, who have taken loan, have not repaid EMI, further, security vehicle had been disposed of by using forged documents. All the loan has been issued by the petitioner company at Salem. Hence, the petitioner lodged a complaint to the respondent police viz., The Inspector of the Police, Kolathur Police Station, Salem on 07.12.2021 along with the relevant documents. The respondent police, for the reason best known, shrugged off their responsibility, stating that the vehicle is not plying within its jurisdiction and the accused are not residing within the jurisdiction of the respondent police. Hence, the complaint was not entertained and FIR was not registered.

3. The learned Additional Public Prosecutor submits that enquiry is going on and on completion of enquiry, appropriate action would be taken. Finding that the petitioner is a Non Banking Finance Company and it's business is finance and extending loan, the persons named in the complaint availed loan, thereafter, using forged documents have concealed the vehicle.

4. From the perusal of the typed set of papers and documents, prima facie offence is made out. In view of the same, the Inspector of Police, Kolathur police Station, Salem is directed to register an FIR and to take appropriate action.

5. With the above said direction, this criminal original petition stands disposed of.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Salem.
2. The Inspector of Police,
Kolathur Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Ms.K.Sahithya, Advocate, S.R.No.6060

CRL.O.P.NO.2125 OF 2022

NRL (CO)
PBS/18/02/2022