



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.26076 of 2021

M/s.Manapuram Finance Ltd.,
Building No.26, 1st Floor, R.C.Complex,
Near Jos Alukas, Above Aircel, Katpadi Road,
Thottapalayam, Vellore District-632 004.

...Petitioner

Versus

1. Superintendent of Police,
Vellore District, Vellore.

2. Inspector of Police,
Gudiyatham Police Station,
Gudiyatham.

...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 15.11.2021 against the abovesaid person named in the complaint and investigate into the matter.

For Petitioner : Ms.K.Sahithya

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

ORDER

The 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 15.11.2021 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 Ashokan along with his wife Geetha had taken a vehicle loan bearing registration No.AP 03 TA 1089 (Model: AL2214. Heavy Commercial Vehicle). 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 accused has been trying to alienate the vehicle to the third person. Now, the persons, who have taken loan, have not repaid EMI. The loan has been issued by the petitioner company at Thottapalayam, Vellore District. Hence, the petitioner lodged a complaint to the respondent police on 15.11.2021 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 vehicles.

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, Gudiyatham police Station, is directed to register an FIR and to take appropriate action.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sms

To

1. Superintendent of Police,
Vellore District, Vellore.

2. Inspector of Police,
Gudiyatham Police Station,
Gudiyatham.

3. The Public Prosecutor,
High Court, Madras.

+lcc to Ms.K.Sahithya, Advocate, S.R.No.293

CRL.O.P.No.26076 of 2021

RSV(CO)

RGA(21/01/2022)