



Crl.O.P.(MD)No.21843 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.21843 of 2024

S. Pongimuthu

.. Petitioner

Vs.

1. The Superintendent of Police
Dindigul District, Dindigul

2. The Inspector of Police
Palani Town Police Station
Dindigul District

3. The Inspector of Police
Ayakudi Police Station
Palani, Dindigul District

4. Thangaraj
5. Sivakumar

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to direct the respondents 2 and 3 to take necessary and legal action against the fifth respondent based on the petitioner's complaint dated 25.11.2024 and recover the petitioner's auto Nos. TN57 S 7627 and TN 57 M 7572 from the 5th respondent



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For Petitioner : Mr.T.Ramasamy
For Respondents : Mr.A.Thirvadi Kumar
No. 1 to 3 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the first respondent to direct the respondents 2 and 3 to take necessary and legal action against the fifth respondent based on the petitioner's complaint dated 25.11.2024 and recover the petitioner's auto Nos. TN57 S 7627 and TN 57 M 7572 from the 5th respondent

2. The petitioner/auto driver owns two autos by taking hire purchase finance. The petitioner has taken a loan for a sum of Rs.1,00,000/- and he had paid a sum of Rs.67,000/-. The petitioner was unable to pay the balance amount within the stipulated time, since the petitioner's wife fell sick, Thereafter he had sought some time from the fifth respondent but the fifth respondent using force had taken the autos of the petitioner and also RC book from the petitioner and now demanding Rs.1,87,000/- extra money which is an exorbitant money and also threatening the petitioner. The petitioner now after the seizure of his auto is denied of his livelihood and facing threat from the fifth respondent.



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3. The auto was seized within the jurisdiction of the fourth respondent and the petitioner was residing within the jurisdiction of the third respondent. Hence the petitioner has sent a complaint to both the third and fourth respondent no action has been taken, hence the present petition has been filed

4. The learned Additional Public Prosecutor submitted that the complaint has been received by the third and fourth respondent. The complaint which was pending before the Ayakudi police has been closed on the point of jurisdiction. The complaint which has been received by the fourth respondent in CSR No.1270 of 2024 is kept pending since there was similar complaint with Ayakudi police. Now the learned Additional Public Prosecutor submitted that he would instruct the fourth respondent to reopen CSR No.1270 of 2024, conduct enquiry and take appropriate steps as per law.

5. The learned counsel appearing for the petitioner on instructions submitted that the petitioner will appear before the fourth respondent on 20.12.2024 along with necessary documents and supporting documents



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and thereafter the fourth respondent to conduct enquiry and take necessary action. The entire process to be completed within a period of two months from 20.12.2024

6. With the above direction, the Criminal Original Petition stands disposed of.

12.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 18.12.2024

To

1. The Superintendent of Police
Dindigul District, Dindigul
2. The Inspector of Police
Palani Town Police Station
Dindigul District
3. The Inspector of Police
Ayakudi Police Station
Palani, Dindigul District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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