



WEB COPY

CRL RC No. 446 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

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THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 446 of 2026

T.Gokulnathan

..Petitioner(s)

Vs

The State Rep.by its,
The Inspector of Police,
V5, Thirumangalam Police Station,
Anna Nagar,
Chennai-600 040.

..Respondent(s)

Prayer: This criminal revision petition is filed under Section 438 & 442 of BNSS calling for records in Crl.M.P.No.12563 of 2025 on the file of XIII Metropolitan Magistrate Court, Egmore, Chennai and to set aside the order passed on 12.11.2025 in Crl.MP.No.12563 of 2025 and consequentially direct the respondent to register the complaint.

For Petitioner(s): Mr.N.Alagu Narayanan
for
M/s.RRN Legal

For Respondent(s): Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The revision challenges the dismissal of the petitioner's application filed under Section 175(3) of BNSS seeking a direction to register the complaint filed by the petitioner.



2. It is the case of the petitioner that one Adal Arasan, the proposed accused had deceived and obtained his wife's jewellery and pledged the said jewellery in his name and the name of his family members stating that he was in financial need; that thereafter, the said Adal Arasan and his family members had repaid the loan that was so pledged and took away the jewels and did not return the same to the petitioner and thus committed the aforesaid offences.

3. The learned Magistrate dismissed the said petition on the ground that admittedly the jewels were pledged in the name of the said Adal Arasan and his family members and there is nothing to show that the petitioner's jewels were pledged and in any case, it only discloses a civil dispute and a breach of promise made by the said proposed accused Adal Arasan.

4. The learned counsel for the petitioner however would submit that there are whatsapp conversations to show that the said Adal Arasan had taken away the jewels of the petitioner; and that the passbook relating to the pledge of jewels made by the said Adal Arasan is still in the custody of the petitioner suggesting that the petitioner's jewels were pledged; and that therefore, prima facie the petitioner has established the offence of criminal misappropriation and cheating.

5. The learned Government Advocate (Crl.Side) would submit that since



the complaint only disclosed a civil dispute between the petitioner and the said Adal Arasan, the complaint was not registered and the impugned order passed by the learned Magistrate is justified.

6. Even assuming that the case of the petitioner that he had handed over the jewels to the said Adal Arasan and he had pledged the jewels and thereafter, did not return the jewels to the petitioner is accepted to be true, there is nothing to suggest that the jewels were obtained by deception. The complaint does not disclose any cognizable offence. It is for the petitioner, to establish before the competent civil forum the above facts. The complaint only discloses a monetary dispute between the petitioner and the said Adal Arasan. Hence, this Court is of the view that the impugned order is justified. Accordingly, the criminal revision petition is dismissed.

25-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To
1. The Inspector of Police,
V5, Thirumangalam Police Station,
Anna Nagar,
Chennai-600 040.

2. The XIII Metropolitan Magistrate Court, Egmore, Chennai.

3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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