



WEB COPY



CRL OP No. 9297 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No.9297 of 2026
and Crl.MP.No.6568 of 2026

1.M.Devi
2.M.Amudha
3.M.Murugan

..Petitioner(s)

Vs

1. The State Rep. by the Inspector of Police,
V-4, Rajamangalam Police Station,
Chennai (Crime No.469 of 2024)

2. Roni Varghese

..Respondent(s)

PRAYER: The criminal original petition filed under Section 528 BNSS, 2023 to call for the records of FIR in Cr. No.469 of 2024 on the file of the 1st respondent and quash the same.

For Petitioner(s): Mr.S.N.Kaliselvan

For Respondent(s): Mr.LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PUBLIC PROSECUTOR
FOR R1



WEB COPY



CRL OP No. 9297 of 2026

ORDER

The Criminal Original Petition has been filed to call for the records in Crime No. 469 of 2024 on the file of the first respondent police and to quash the same.

2. The petitioners, who are facing proceedings in Crime No.469 of 2024 for offences under Sections 420 and 34 IPC, have filed this quash petition. The contention of the petitioners is that they had pledged jewels with Rupeek Bank, which allegedly charged exorbitant interest. The petitioners claim that they have initiated action against the said Bank. It is further submitted that, even according to the complainant, a sum of Rs. 18,50,862/- was transferred to Rupeek Bank, and the petitioners did not receive any amount. Hence, it is argued that no offence of cheating is made out.

3. The petitioners further contend that Rupeek Bank, after receiving the funds from the defacto complainant Bank, adjusted the loan towards the account of the petitioner's son without his knowledge or consent. In this regard, the petitioners state that they have already filed a complaint before the Consumer



Forum. Therefore, according to them, the present criminal complaint is not maintainable.

4. The learned Additional Public Prosecutor, appearing for the respondent, submitted that the defacto complainant is the Manager of CSB Bank. During March, the petitioners represented that they had pledged gold jewels with Rupeek Bank and sought to renew the same by re-pledging the jewels with CSB Bank. Based on this representation, a loan of Rs.18,50,862/- was sanctioned and the amount was transferred to Rupeek Bank. However, the petitioners failed to produce the renewed pledged jewels before CSB Bank and instead misappropriated the same. Hence, the complaint was registered.

5. It is not in dispute that the loan was granted based on the specific understanding that the jewels pledged with Rupeek Bank would be re-pledged with the defacto complainant Bank. However, contrary to this understanding, the amount was not properly utilized and the complainant Bank was allegedly cheated.



WEB COPY



CRL OP No. 9297 of 2026

M.NIRMAL KUMAR, J.

6. Considering the submissions of both sides and the issues raised by the petitioners, this Court is of the view that the matter involves disputed questions of fact which cannot be adjudicated in a petition for quashing. Therefore, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is also dismissed.

15-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

rkp

To

1. The Inspector of Police,
V-4, Rajamangalam Police Station,
Chennai
2. The Public Prosecutor
High Court, Madras.

CRL OP No.9297 of 2026
and Crl.MP.No.6568 of 2026