



CRL.O.P.No.16850 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM:

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.O.P.No.16850 of 2026
and CRL.M.P.No.11178 of 2026

R.Ramsait

..Petitioner

Vs.

1. State Rep. by
The Inspector of Police,
CCB, Coimbatore City,
Crime No.24 of 2025.

2. S.Saraswathi

..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS 2023,
praying to call for the records in Crime No.24 of 2025 pending on the file
of the 1st respondent and to quash the same.

For Petitioner : Mr.A.Tamilarasan

For Respondents : Mr.R.Rajasekaran (For R1)
Counsel for Government of Tamil Nadu (Crl.Side)



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ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report (FIR) in Crime No.24 of 2025 registered by the first respondent Police against the petitioner.

2. The prayer sought for in this Criminal Original Petition is innocuous in nature, and as such, this petition is disposed of at the admission stage itself, without ordering notice to the second respondent.

3. The learned counsel appearing for the petitioner submitted that the entire dispute between the parties is civil in nature; that both parties had entered into a written agreement with default clauses regarding the supply of eggs and security deposits; that it was the second respondent/de facto complainant who breached the terms of the contract by failing to pay the price for the eggs supplied. In respect of this commercial dispute, the petitioner has already instituted a civil suit in O.S.No.415 of 2025. Further, the learned counsel submitted that the second respondent has suppressed these facts, made false averments and dressed up a purely civil transaction



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as a criminal offence. Therefore, the first respondent Police ought not to have registered the criminal case and the FIR is liable to be quashed.

4. *Per Contra*, the learned counsel for Government of Tamil Nadu (Criminal Side) appearing for the first respondent Police submitted that the petitioner had systematically schemed and collected a massive sum of Rs.1,07,90,000/- from six different individuals under a purported business scheme where the petitioner promised to supply eggs at a reduced price and assured them financial returns. He further submitted that the petitioner neither returned the deposited amount nor paid the promised returns, thereby actively cheating the investors.

5. Heard the learned counsel appearing for the petitioner and the learned counsel for Government of Tamil Nadu (Criminal Side) appearing for the first respondent Police and perused the materials available on record.

6. On a close perusal of the FIR, it is true that some of the averments made by the second respondent may not fully align with the terms of the

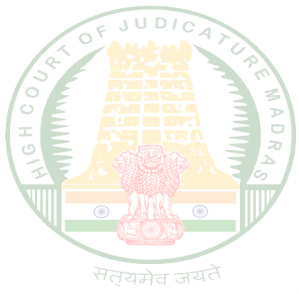


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written agreement executed between the parties. However, the FIR contains general and serious allegations that the petitioner acted in a preconceived and dishonest manner to collect advance deposits totalling Rs.1,07,90,000/- from six persons and cheated them.

7. At this preliminary stage itself, the defence raised by the petitioner relies primarily on his own assertions and the civil Court documents filed by him. Such defence arguments cannot be treated as incontrovertible facts at the nascent stage of a criminal probe. When a dispute involves overlapping elements of both civil liability and criminal culpability, the criminal proceedings cannot be throttled at the threshold. Therefore, this Court cannot find fault with the registration of the complaint or the ongoing investigation, as the matter cannot be classified as predominantly and exclusively civil in nature.

8. In view of the above, this Court is not inclined to quash the First Information Report since the facts and defences raised by the petitioner are matters to be thoroughly verified during the investigation.



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9. Accordingly, this Criminal Original Petition stands disposed of, with liberty to the petitioner to place all relevant documents, including the written agreements, the civil complaints and all supporting evidence before the Investigating Officer. The Investigating Officer is directed to dispassionately and fairly consider all the facts and documents produced by both sides during the course of investigation before arriving at a final conclusion. Connected miscellaneous petition is closed.

02-07-2026

Neutral Citation: Yes

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To

1. The Inspector of Police,
CCB, Coimbatore City.
2. The Public Prosecutor,
High Court of Madras.



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