



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**CRL OP No. 17967 of 2026 and
Crl.M.P.No.12007 of 2026**

S.Manireddy

..Petitioner(s)

Vs

1. State rep by its,
The Inspector of Police,
Kallavi Police Station,
Krishnagiri District.

2. A.Sathishkumar

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to Crime No.201 of 2023 on the file of the Kallavi Police Station, Krishnagiri, quash the same.

For Petitioner(s): Mr.A.Saravanan

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Criminal Side)
for R1

ORDER

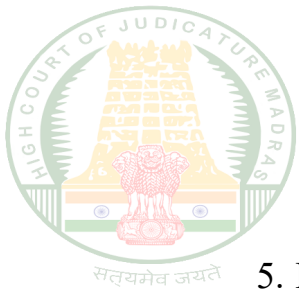
This Criminal Original Petition has been filed to quash the FIR in Crime No.201 of 2023.



2. On a perusal of the said FIR, the allegation made by the second respondent/defacto complainant is that he had borrowed money from the petitioner and had also repaid the same. However, alleging that exorbitant interest was charged, he would state that the petitioner demanded more money, trespassed into his property, stole his Army Identity Card, and also threatened the other persons present in the house.

3. The primary ground on which the learned counsel for the petitioner would challenge the FIR is that the FIR was registered under Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003. The petitioner is a licensed money lender, and the loan was advanced against negotiable instruments. Therefore, when the loan amount is more than Rs.10,000/-, the provisions of the said Act will not apply.

4. With reference to the other offences also, the learned counsel for the petitioner would further submit that the entire case has been cooked up only after the cheque presented by the petitioner was returned dishonoured and, when a statutory notice was issued, the present complaint came to be filed in the very next week.



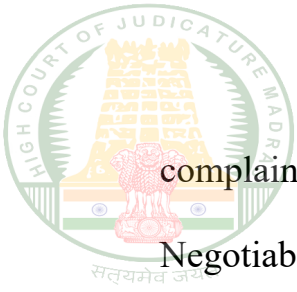
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5. I have considered the submissions made by the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the 1st respondent.

6. Both the submissions involve mixed questions of fact and law. Therefore, unless those facts turn out during the course of investigation, the same cannot be treated as incontrovertible by this Court at this stage so as to quash the FIR itself.

7. Therefore, while keeping open the liberty of the petitioner to place such records before the Investigating Officer, if he so chooses, and also keeping open his right to challenge the final report, as and when it is filed, the present prayer to quash the FIR cannot be entertained.

8. Considering the fact that the case has been pending since the year 2023, the respondent Police are directed to complete the investigation and file the final report within a period of two months from the date of receipt of a web copy of this order. It is made clear that, once the defacto complainant has issued the cheque, the present investigation has nothing to do with the private



complaint filed by the petitioner for the offence under Section 138 of the Negotiable Instruments Act.

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9. Accordingly, this Criminal Original Petition stands disposed of. Consequently, the connected Miscellaneous Petition is closed.

10-07-2026

Neutral Citation: Yes/No
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To

- 1.The Inspector of Police,
Kallavi Police Station,
Krishnagiri District..
- 2.The Public Prosecutor,
Madras High Court.



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D.BHARATHA CHAKRAVARTHY, J.

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