

Crl.O.P.(MD)No.14386 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON: 23.06.2026
PRONOUNCED ON: 14.07.2026

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CORAM:

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.14386 of 2023
and Crl. M.P. (MD) No.11325 of 2023

Rama @ Rama Sri D/o. Raju

.. Petitioner / Accused No.5

Vs.

State represented by:

The Inspector of Police,
Samayanallur Police Station,
Madurai District.
[Cr. No.4 of 2023]

.. Respondent / Complainant.

2. Kaveri W/o. Ilayaraja

... Respondent /Defacto complainant.

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for records pertaining to the case in Cr. No.4 of 2023 for the alleged offences under Sections 294(b), 506(i) of IPC and Section 5 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act,2003 on the file of the 1st respondent and to quash the same as against the petitioner.

For Petitioner : M/s. J. Kalyani

For R-1 : Mr. P. Vetrivel
Government Advocate (Crl. Side)
[for R1]



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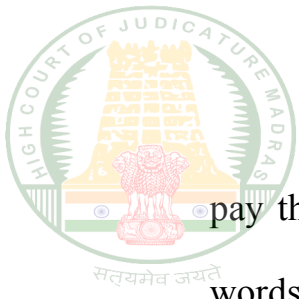
No appearance [for R2]

ORDER

This Criminal Original Petition has been filed by the petitioner to quash the proceedings in Cr. No.4 of 2023 on the file of the 1st respondent police.

2. The *case of the prosecution* is that on 08.01.2023 at about 12.30 hours, the defacto complainant, who is the 2nd respondent herein, appeared before the 1st respondent police and lodged a complaint stating that she obtained loan, from one Gunasekaran, Thiruvayanallur to the tune of Rs. 1,55,000/-, from one Veeramani to the tune of Rs.50,000/-, a sum of Rs.2 lakhs from one Sivakumar, Thodaneri, and a sum of Rs.50,000/- from one Auto Azhagar Samayanallur. For the said loan obtained from Auto Azhagar, she pledged her 10 sovereigns of gold jewels. Further she obtained loan from one Rama W/o. Maheswaran to the tune of Rs.1,90,000/-, from Meena W/o. Kodiraja of Samayanallur Burma Colony to the tune of Rs.80,000/-, from one Arockiamary W/o. Selvaboopathi to the tune of Rs.30,000/-, from Seeniammal residing at R.C. Street to the tune of Rs.1,25,000/-, and from one Parvathy W/o. Selvam to the tune of Rs.1,50,000/-. For the above said loan amounts, she paid exorbitant interest. Thereafter, she was unable to

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pay the said amount. While so, all the accused abused her using obscene words, and induced her to commit suicide. When she tried to commit suicide through train, the neighbours rescued her. Even after that, all the accused abused her in obscene language and threatened by showing promissory notes and cheque leaves and thereby, she lodged a complaint. Based on the said complaint, a case in Cr. No.4 of 2023 has been registered for the offences under Sections 294(b) and 506(i) of IPC and Section 5 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003. The petitioner has been arrayed as 5th accused in this case and she has filed this Criminal Original Petition to quash the said pending proceedings as against the petitioner.

3. The learned counsel for the petitioner would submit that based on the complaint lodged by the 2nd respondent, the 1st respondent police have registered a case in Cr. No.4 of 2023 for the offences under Sections 294(b) and 506(i) of IPC and Section 5 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003. In fact, there are no allegations to constitute the offence under Sections 294(b) and 506(i) of IPC and Section 5 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003. There is no mention about the percentage rate of interest in the FIR and there are

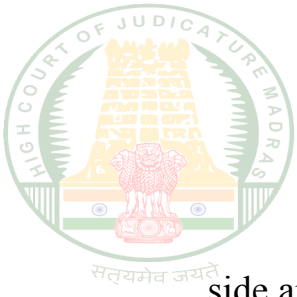


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only bald and vague allegations and there is no reference about the particular obscene words uttered by the petitioner. Without any specific allegations based on the vague and bald allegations, the respondent police have registered a criminal case. In the First Information Report, there is no any specific overt act attributed as against the petitioner. The defacto complainant has obtained loan from the mother of the petitioner and in order to avoid repayment of loan, she has lodged this complaint with value and bald allegations. Therefore, the pending proceedings in Cr. No.4 of 2023 on the file of the 1st respondent police is nothing but abuse of process of law and the same is liable to be quashed.

4. The learned Government Advocate appearing for the 1st respondent would submit that based on the complaint lodged by the 2nd respondent, the respondent police have registered a case in Cr. No.4 of 2023 for the offences under Sections 294(b) and 506(i) of IPC and Section 5 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 and the same is under investigation and at this stage, this petition is liable to be dismissed.

5. There is no appearance for the 2nd respondent. Despite notice served to the 2nd respondent, none appeared.

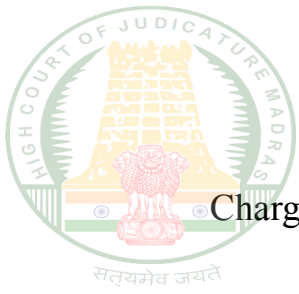


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6. Therefore, this Court heard the petitioner and the 1st respondent side and perused the materials available on record and inclined to pass order on merits.

7. In this case, the 2nd respondent lodged a complaint alleging that she borrowed money from various persons on various dates and paid exorbitant interest. In spite of repayment of entire amount, all the accused abused the defacto complainant using obscene words and threatened with dire consequences and thereby, she lodged a complaint. On a careful perusal of the complaint lodged by the defacto complainant, there are only allegations that she borrowed money from various persons and they abused her using obscene words and threatened with dire consequences. Apart from that, there are no any specific allegations and the allegations found therein are only vague, bald and amnibus allegations. There are no specific allegations against the petitioner herein. Though the 1st respondent police have registered the case for the offences under Sections 294(b) and 506(i) of IPC and Section 5 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, nowhere in the FIR, it has been stated about the obscene words alleged to have been uttered by the accused and about the threat made by them. There are no ingredients to constitute the offences under Sections 294(b) and 506(i) of IPC and Section 5 of Tamil Nadu Prohibition of

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Charging Exorbitant Interest Act, 2003

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8. As far as Section 5 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 is concerned, there is no reference about the rate of interest and how much interest was paid by the defacto complainant and how much interest was demanded by the petitioner. Even as per the entire reading of FIR, there are no allegations to constitute offence under Sections 294(b) and 506(i) of IPC and Section 5 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003. Without any specific allegations and based on the vague and amnibus allegations, the petitioner need not face the trial and the 1st respondent police also, for the past 3 years, has not completed the investigation and also considering the delay in registering the FIR and the FIR shows that, only with malafide intention, the complaint has been lodged, thereby, the pending proceedings in Cr. No.4 of 2023 as against the petitioner are liable to be quashed.

9. Accordingly, this Criminal Original Petition is ***allowed. The pending proceedings in Cr. No.4 of 2023 are quashed as against the petitioner. Consequently, the connected miscellaneous petition is closed.***



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14..07.2026

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Inspector of Police,
Samayanallur Police Station,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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Pre-Delivery order in
CrI.O.P.(MD)No.14386 of 2023

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