



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Cr1.R.C.(MD) No.855 of 2011

WEB COPY

T.Thiraviyam

... Petitioner/Petitioner

Vs.

1.Sri Ram Investments Limited
through its Managing Director,
Moogaambigai Complex,
3rd Floor,
4, Seemathi Desikaa Road,
Mylapore, Chennai 4.

2.The Branch Manager,
Sri Ram Investments Limited
Trichy Branch, 104, Rukmani Theatre Compound,
Salai Road, Uraiyur, Trichy 3.

3.K.Balamurugan

... Respondents/Respondents

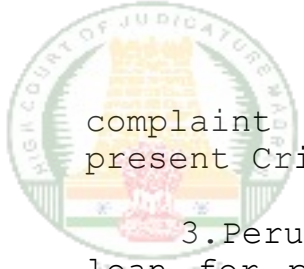
Petition filed under Sections 397 read with 401 Cr.P.C, to call for the records relating to the order dated 28.07.2011 made in Cr1.M.P.No.1258 of 2009 on the file of the District Munsif cum Judicial Magistrate Court, Kodaikanal and set aside the same.

For Petitioner : Mr.I.Praveen Kumar
For Respondents : No appearance

ORDER

Challenging the order dismissing the private complaint filed under Section 156(3) Cr.P.C, the present Criminal Revision Case has been filed.

2.The petitioner filed a private complaint against the second respondent on the ground that the second respondent is running a financial company and the petitioner obtained vehicle loan for purchasing mini lorry and subsequently he was also paid the entire dues. Thereafter, the second respondent demanded more interest and also taken steps to seize the vehicle and they have also filed a suit and obtained interim order restraining the petitioner from using the vehicle. It is further stated that because of the said act of the second respondent, the petitioner has suffered a huge loss to the tune of Rs.2,75,000/-. In the above circumstances, they have also driven the petitioner to commit suicide. Hence, he has filed private complaint for the offence punishable under Section 306 IPC and Sections 4 and 9 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003. Upon consideration of the entire materials available on record, the Court below dismissed the



complaint under Section 203 Cr.P.C. Challenging the same, the present Criminal Revision Case has been filed.

3. Perusal of the complaint shows that the petitioner borrowed loan for purchasing a vehicle and even though he claimed that he repaid the entire loan, absolutely, there is no material available on record to establish the said fact. Apart from that the second respondent filed a suit against the petitioner restraining him from using the vehicle since there was a default. Further, there is no material to prove that the second respondent claiming exorbitant interest and the respondents were abetted him to commit suicide. In the above circumstances, the Court below has rightly dismissed the petition filed by the petitioner. I find no infirmity or irregularity in the order passed by the Court below. Accordingly, the Criminal Revision Case is dismissed.

Sd/-
Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

The District Munsif cum Judicial
Magistrate Court, Kodaikanal.

SMS

JS/MR.KKR/SAR.2/24.08.2017/2P-2C

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