



Crl.R.C.No.284 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.284 of 2025

S.Sathishkumar

... Petitioner

..VS..

1. The State Rep.by its
Commissioner of Police,
Avadi Commissionerate,
Avadi, Chennai.
2. The Deputy Commissioner of Police,
Redhills, Chennai.
3. The Assistant Commissioner of Police,
Redhilss Police Station,
Redhills, Chennai.
4. The Inspector of Police,
Kattur Police Station,
Tiruvallur District.

... Respondents

Criminal Revision Case filed under Sections 438 read with 442 of BNSS, to set aside the order dated 09.12.2024 made in Crl.M.P.No.3594 of 2024 on the file of the Judicial Magistrate Court No.II, Ponneri, by allowing this Criminal Revision Case.



Crl.R.C.No.284 of 2025

WEB COPY

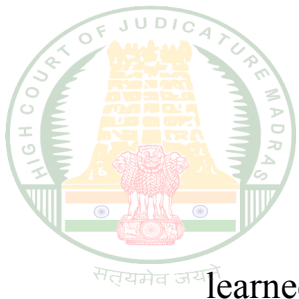
For Petitioner : Mr.V.Sambamurthy
for Mr.B.Govindha Prabhu

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Revision Petition has been preferred seeking to set aside the order dated 09.12.2024 made in Crl.M.P.No.3594 of 2024 on the file of the Judicial Magistrate Court No.II, Ponneri.

2. The grievance of the petitioner is that one Savithri, who is doing business in Chennai had requested the petitioner to invest some amount in the business and agreed to give share in the profits. While that being so, the petitioner has given a sum of Rs.20,00,000/- to the said Savithri. Initially, the said Savithri has given a sum of Rs.3,30,000/- to the petitioner. Thereafter, she did not repay the balance amount and also not given share in the profits. Hence, the petitioner has given a complaint to the respondent-Police, which was assigned C.S.R.No.34 of 2023, but the same has been kept in abeyance without any further action. Thus, the petitioner filed a petition under Section 175(3) of BNSS before the



Crl.R.C.No.284 of 2025

WEB COPY

learned Judicial Magistrate-II, Ponneri to direct the respondent to register the complaint in accordance with law based on C.S.R.No.34 of 2023. The learned Magistrate, after considering the materials, came to the conclusion that the allegations made in the complaint regarding money transactions are in civil in nature and hence dismissed the petition and as against the said order, the present petition is filed.

3. Learned Additional Public Prosecutor appearing for the respondents-Police submitted that based on the complaint given by the petitioner herein, C.S.R.No.34 of 2023 was assigned and after thorough enquiry it was found that the entire allegations made in the complaint are civil in nature as the dispute between the parties pertains to money transactions and that the respondents-Police have filed a negative report under Section 175(3) BNSS Act before the Court below and an intimation was also given to the petitioner. Thereafter, the petitioner filed a protest petition in Crl.M.P.No.3594 of 2024 before the Judicial Magistrate-II, Ponneri. The learned Magistrate, after considering the submissions urged on behalf of the petitioner herein and also after considering the documents produced by the petitioner, dismissed the



Crl.R.C.No.284 of 2025

WEB COPY

petition on the ground that since the allegations made in the complaint are civil in nature and the complaint has been given giving criminal colour to the civil dispute.

4. Heard both sides and perused the materials available on record.

5. On a perusal of the records, particularly complaint and other documents, it is seen that there was money transactions between the petitioner and the said Savithri, which is civil in nature, however, the petitioner has given the complaint giving criminal colour to the civil dispute. The learned Magistrate, after appreciating the entire materials, rightly dismissed the petition. Therefore, this Court does not find any perversity in the impugned order dated 09.12.2024 in Crl.M.P.No.3594 of 2024 and hence, this petition is liable to be dismissed.

6. Accordingly, this Criminal Revision Petition is dismissed.

03.03.2025

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Case Citation : Yes / No
ms



Crl.R.C.No.284 of 2025

WEB COPY

To

1. The Judicial Magistrate - II,
Ponneri.
2. The Commissioner of Police,
Avadi Commissionerate,
Avadi, Chennai.
3. The Deputy Commissioner of Police,
Redhills, Chennai.
4. The Assistant Commissioner of Police,
Redhilss Police Station,
Redhills, Chennai.
5. The Inspector of Police,
Kattur Police Station,
Tiruvallur District.
6. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.R.C.No.284 of 2025

P.VELMURUGAN, J.

ms

Crl.R.C.No.284 of 2025

03.03.2025