



Crl.RC.No.1040 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED:10.07.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

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1. K.Ram Kumar
S/o. P.K.Rajan,
No.26, Anu Flats, Alwar Nagar, 3rd Street,
Nanganallur,
Chennai – 600 061.

...Petitioner

Vs.

1. The Deputy Commissioner of Police,
St. Thomas Mount Range,
Chennai.

2. The Assistant Commissioner of Police,
Palavanthangal Police Station,
Chennai.

3. The Inspector of Police (Crime),
S-9, Palavanthangal Police Station,
Chennai.

4. S.Savithri
W/o. N.Srinivasan,
No.7B, TNGO Colony Main Road,
Nanganallur, Chennai – 600 061.

... Respondents



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PRAYER: Criminal Revision Petition filed under Section 438 r/w. 442 of BNSS, 2023, to call for the records and set aside the impugned order dated 05.09.2024 passed in Crl.M.P.No.3229/2024 on the file of the learned Judicial Magistrate – I, Alandur.

For Petitioner : Mr.D.Raja

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

for R1 to R3

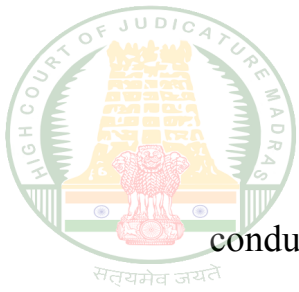
Mrs.C.Anuradha

for Mr.K.Manikandan for R4

ORDER

This Criminal Revision has been preferred as against the order passed in Crl.M.P.No.3229/2024 on the file of the learned Judicial Magistrate – I, Alandur, dated 05.09.2024 thereby directed the third respondent to conduct an enquiry on the complaint lodged by the fourth respondent and if any cognizable offence is made out, to register FIR and proceed with the investigation.

2. Mr.D.Raja, the learned counsel for the petitioner, would submit that on the complaint lodged by the fourth respondent, the third respondent



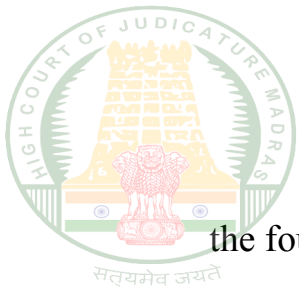
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conducted enquiry and closed the case as “Civil in nature”. Thereafter, the fourth respondent filed a complaint seeking direction under Section 156(3) Cr.P.C. and the same was ordered by the trial Court and directed to conduct enquiry. Even according to the fourth respondent, the petitioner and fourth respondent entered into a joint venture agreement for the land owned by the fourth respondent and the petitioner owes the balance amount of Rs.36,46,000/-. Therefore all the allegations are civil in nature and the trial Court ought not to have directed the third respondent to conduct enquiry.

3. Mr.A.Gopinath, the learned Government Advocate (Crl.side), would submit that on the enquiry it was found that the petitioner is in due of Rs.36,46,000/- to the fourth respondent in which he paid only Rs.2,00,000/- so far. The petitioner assured to settle the entire amount by January, 2025, however, he did not settle the amount so far.

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

5. The fourth respondent is an old woman and she entered into a joint venture agreement with the petitioner. Thereafter the petitioner had cheated



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the fourth respondent to the tune of Rs.36,46,000/- and the fourth respondent is running from pillar to post. Therefore, the trial Court has rightly directed the third respondent to conduct an enquiry and if any cognizable offence is made out, to register the FIR. This Court finds no illegality or infirmity in the order passed by the learned Magistrate and the Revision is liable to be dismissed.

6. At this juncture, the learned counsel for the petitioner would submit that the petitioner would settle the entire balance amount within a period of two months.

7. In the result, this Criminal Revision Case is dismissed. If the petitioner failed to settle the entire balance amount to the fourth respondent on or before 29.08.2025, the third respondent is directed to register FIR and proceed in accordance with law.

10.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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4. The Inspector of Police (Crime),
S-9, Palavanthangal Police Station,
Chennai.

5. The Public Prosecutor
High Court, Madras.



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