

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.22398 of 2025 and
CrI.M.P.No.15297 of 2025

1.C.Dhasaratha Raja

2. Sharmila

... Petitioners

Vs.

1. State represented by
Inspector of Police
T-14 Pallikaranai Police Station
Pallikaranai, Chennai – 600 100
(Crime No.270 of 2025)

2. R.Nithya

3. Senthilkumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records with respect to the First Information Report dated 27.04.2025 registered under Crime No.270 of 2025 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.S.Sai Shankar

For Respondents : Mr.K.M.D.Muhilan

Additional Public Prosecutor for R1

Mr.M.Venkadesh Kumar for R2 and R3

ORDER

This Criminal Original Petition has been filed to quash the First Information Report dated 27.04.2025 registered under Crime No.270 of 2025 on the file of the 1st respondent police.

2. The crux of the allegations in the FIR is that the petitioners having borrowed amount from the defacto complainant and her husband, failed to repay the same. Except the allegation that when the loan was sought to be repaid, in the name of some political party, the first petitioner threatened the defacto complainant. A careful perusal of the FIR indicates nothing but a loan transaction.

3. Considering the nature of the allegations, this Court is of the view that a criminal colour has been given to a civil dispute, which is purely a loan transaction and default. Even the FIR does not show deception from the very inception to constitute cheating. It is a casual loan transaction which resulted in some default. Therefore, continuing the FIR is nothing but an abuse of process of law.

4. Therefore, the First Information Report in Crime No.270 of 2025 dated 27.04.2025 on the file of the 1st respondent police is quashed.

5. Accordingly, this Criminal Original Petition is allowed.

Consequently, the connected Miscellaneous Petition is closed.

15.09.2025

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The Inspector of Police
T-14 Pallikaranai Police Station
Pallikaranai
Chennai – 600 100

2. The Public Prosecutor
High Court of Madras, Chennai

CrI.O.P.No.22398 of 2025

N. SATHISH KUMAR, J.

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