



Crl.R.C.No.2243 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 18.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

**Crl.R.C.No.2243 of 2024**

Avanse Financial Services Limited,  
Branch Office At No.138/30,  
Florida Towers,  
Nelson Manickam Road,  
Aminjikarai, Chennai - 600 029.  
Represented By Its Legal Manager,  
Nawin

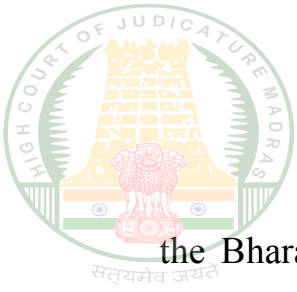
... Petitioner

Vs

1. The Deputy Commissioner of Police,  
Kilpauk District, Chennai.
2. The Assistant Commissioner of Police,  
Kilpauk Range, Chennai.
3. Inspector of Police, (Crime),  
G-3, Kilpauk Police Station,  
Chennai - 600 010.
4. Keerthiga Karuppanan
5. Praveen Kumar
6. Karuppan Karuppaiah  
(R4 to R6 impleaded as per the order  
dated 09.07.2025  
in Crl.MP.No.13434 of 2025  
in Crl.RC.No.2243 of 2024)

... Respondents

**PRAYER:** Criminal Revision Case is filed under Section 438 read with 442 of



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the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for records and to set aside order passed by the Metropolitan Magistrate II, Egmore, Chennai - 08, vide Crl.M.P.No.11727 of 2024 dated 20.03.2024.

For Petitioner : M/s R.Kalaivani  
For R1 to R3 : Mr.A.Gopinath  
Government Advocate (Crl.side)

### **ORDER**

This Criminal Revision has been filed as against the order dated 20.03.2024 in Crl.M.P.No.11727 of 2024 passed by the Metropolitan Magistrate II, Egmore, Chennai – 08, thereby dismissing the petition filed under Section 156(3) of Cr.P.C.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondents 1 to 3 and perused the materials placed on record.

3. The petitioner lodged a complaint, alleging that the respondents 4 to 6 herein borrowed educational loan from the petitioner to the tune of Rs.22 Lakhs and also entered into a loan agreement. As per the loan agreement, they ought to have repaid the said loan amount with interest and other charges by monthly installments in a period of 120 months from 10.06.2022. However, the



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respondents 4 to 6 herein failed to pay the monthly installments and they committed default.

4. On verification it was found that the respondents 4 to 6 herein failed to utilize the said money for education purpose. As per the loan agreement though the respondents 4 to 6 herein committed default in payment of monthly installment, the petitioner ought to have approached the civil Court for recovery of money, on the strength of the loan agreement. Therefore, it is only a loan transaction between the petitioner and the respondents 4 to 6 herein. Hence, no offence is made out as per the allegations levelled as against the respondents 4 to 6 herein.

5. In view of the above, this Court finds no infirmity or illegality in the order dated 20.03.2024 in Crl.M.P.No.11727 of 2024 passed by the Metropolitan Magistrate II, Egmore, Chennai – 08. However, the petitioner is at liberty to proceed as against the respondents 4 to 6 herein before the Civil Court in accordance with law.

6. Accordingly, the Criminal Revision Case stands dismissed.



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Internet: Yes

Index: Yes/No

Speaking/Non speaking order  
mn



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To

1. The Metropolitan Magistrate II, Egmore,  
Chennai – 08.
2. The Deputy Commissioner of Police,  
Kilpauk District, Chennai.
3. The Assistant Commissioner of Police,  
Kilpauk Range, Chennai.
4. The Inspector of Police, (Crime),  
G-3, Kilpauk Police Station,  
Chennai - 600 010.
5. The Public Prosecutor,  
High Court, Madras.



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**G.K.ILANTHIRAIYAN. J.**

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