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CRL OP No. 23891 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 23891 of 2025

Tamilnad Mercantile Bank Ltd,
Rep by its Branch Manager
Mr.R.A.Vinu (Aged 37 years),
Guduvancheri Branch, No.140, GST
Road, Ground Floor,
Guduvancheri-603 202.

Petitioner(s)

Vs

1. The Superintendent of Police,
Chegalpattu District.

2.The Inspector of Police,
T-8, Guduvancheri Police Station,
Guduvancheri.

Respondent(s)

PRAYER

Criminal Original Petition filed under Sec.482 of Cr.P.C., seeking to direct the 2nd respondent police not to harass the petitioner Bank and its officers.

For Petitioner(s): Mr. V.Chandrasekaran



For Respondent(s): Mr. R. Vinothraja, GA (crl.side)

ORDER

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This Criminal Original Petition is filed seeking to direct the 2nd respondent police not to harass the petitioner Bank and its officers.

2. The grievance of the petitioner is that one Nachiappan by pledging spurious jewels, availed loan from the petitioner Bank. Based on the complaint given by the petitioner Bank, FIR was registered against the said Nachiappan. Thereafter, he has paid the entire outstanding amount due to the Bank. However, based on the complaint lodged by one Ramesh, who is a third party before the respondent police, alleging that the money deposited by the said Nachiappan actually belonged to him, the respondent police, without issuing any formal summons or notice, has been harassing the officials of the Bank under the guise of enquiry and has been insisting to refund the money deposited by Nachiappan to Ramesh.

3. This court is of the view that whether the amount deposited by borrower-Nachiappan belonged to a third party or not, cannot be investigated by



the respondent police. Once the borrower, who availed the loan from the bank had repaid the loan amount, the police could not go into other aspects as to whether, the amount repaid by the borrower actually belonged to him or not. If at all the third party has any grievance over the money, it is for him to get the money legally.

4. In view of the above discussion, this court is of the view that the respondent police shall not make any unnecessary harassment on the officials of the petitioner Bank.

5. With the above direction, this criminal original petition is disposed of.

msr

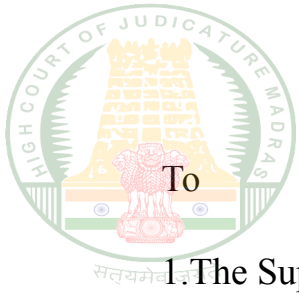
28-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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N.SATHISH KUMAR J.

msr

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