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CRL RC No. 2376 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 2376 of 2025

1. V.K.Suthir

... Petitioner

Vs

1. The Inspector of Police
Central Crime Branch-EDF-II, TeamII,
Veppery, Chennai.

Respondent(s)

PRAYER

To set aside the said order dated 11.09.2025 in Crl.M.P.No.9534 of 2025 on the file of the XI Metropolitan Magistrate, saidapet, Chennai and consequently direct the respondent/police to register a case based on the petitioners complaint dated 18.07.2023 and proceed with investigation in accordance with law and pass such further or other orders as this Honble Court.

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For Petitioner(s): R.Dhanasekar

For Respondent(s): Dr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Petition has been filed challenging the order dated 11.09.2025 passed in Crl.M.P.No.9534 of 2025, dismissing the petitioner's application filed under Section 156(3) of the Code of Criminal Procedure, seeking a direction to register the complaint lodged by the petitioner as an FIR.



2. The gist of the allegations made in the petitioner's complaint is that the petitioner had borrowed a sum of Rs.1,34,40,000/- from the proposed accused; that the petitioner had repaid the said amount along with interest, totalling Rs.1,50,00,000/-; and that the proposed accused had acknowledged receipt of the said amount; that inspite of the same, the proposed accused failed to return the documents such as blank papers and other documents which were offered as security at the time of availing the loan; and that the retention of the said documents amounts to an offence. The petitioner filed a petition under Section 156(3) of Cr.P.C, since the police did not register an FIR, which came to be dismissed by the impugned order.

3. The learned Magistrate found that the dispute relating to settlement of accounts cannot be decided by the police and that no cognizable offence is made out. Accordingly, the learned Magistrate held that no direction could be issued under Section 156(3) of Cr.P.C.

4. The learned counsel for the petitioner submitted that the petitioner had produced documents to establish repayment of the loan amount and also to show that certain documents were handed over to the proposed accused as security while obtaining the loan; that the proposed accused are illegally retaining the said documents; and that therefore, the impugned order of the learned Magistrate is



liable to be set aside.

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5. Heard the learned Government Advocate (Crl.Side).

6. Admittedly, there exists a loan transaction between the petitioner and the proposed accused. The respondent police cannot adjudicate the question as to whether the petitioner has repaid the entire loan amount. Such disputes are essentially civil in nature and are to be decided by the competent Civil Court. If it is the claim of the petitioner that, despite repayment of the loan amount, the proposed accused are retaining certain documents, it is always open to the petitioner to approach the appropriate Civil Court for redressal.

7. The learned Magistrate, after elaborate consideration, has rightly concluded that no cognizable offence is made out and that the complaint discloses disputes which cannot be resolved by the police. This Court finds no infirmity in the impugned order.

8. Accordingly, the Criminal Revision Petition stands dismissed.

16-12-2025

skr

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
The Inspector of Police, Central Crime Branch – EDF-II,
Team II, Vepery, Chennai.

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SUNDER MOHAN J.

skr

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