



WEB COPY



Crl.R.C.No.2496 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2496 of 2025

S.Narayanan Subramanaiyan

... Petitioner

Vs.

- 1.The Commissioner of Police,
Office of Commissioner of Police,
Greater Chennai Corporation,
Veppery, Chennai – 600 007.
2. The Joint Commissioner of Police,
South Zone, St Thomas Mount,
Chennai – 600 089.
3. The Inspector of Police,
EDF 3, NETA -6
CCB 2, Vepery, Chennai -07.
4. Shanthi
5. The Manager,
State Bank of India,
South Boag Road,
T- Nagar P
Chennai – 600 017.

...Respondents



Crl.R.C.No.2496 of 2025

WEB COPY

PRAYER: Criminal Revision Petition filed under Section 442 of BNSS to set aside the order passed by the learned Metropolitan Magistrate CCB and CBCID at Egmore, Chennai in Crl.M.P.No.9530 of 2025 dated 07.07.2025 further direct the 3rd respondent police to take appropriate action on the petitioner complaint dated 21.11.2023 and 03.07.2024 by registering a FIR.

For Petitioner : Mr.L.K.Charles Alexander

ORDER

The Revision Petition has been filed challenging the impugned order passed by the learned Metropolitan Magistrate CCB and CBCID at Egmore, Chennai under Section 156(3) of Cr.P.C., refusing to direct the registration of FIR on the petitioner's complaint.

2. The gist of the allegation in the petitioner's complaint is that husband of the 4th respondent herein on the premise of obtaining Government Contracts worth about Rs.50 Crores had received various sums of money from the year 2019 to 2023; that at the instance of the 4th respondent's husband, petitioner had deposited the money to the tune of Rs.1,92,08,500/- into the account of the 4th respondent; that the fourth



respondent's husband neither obtained the contract nor returned the money; that the fourth respondent's husband is no more; that the 4th respondent is also liable; and the 4th respondent's husband had also received jewels worth about Rs.10 lakhs from the petitioner.

3. The learned Magistrate found that the transactions were between the petitioner and the 4th respondent's husband and that one Raju, who represents the defacto complainant was not personally aware of the transactions and the petition cannot be entertained at his instance, and hence dismissed the petition under Section 156(3) of Cr.P.C.

4. The learned counsel for the petitioner submits that the petitioner had not only known the 4th respondent's husband, but also 4th respondent and believing their words had credited the money to the account of the 4th respondent and that he had filed the complaint personally and the learned Magistrate was not right in rejecting the petitioner's prayer for registration of FIR merely because he was represented by a special power of attorney agent one Raju.



Crl.R.C.No.2496 of 2025

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

WEB COPY

6. As stated above, in the complaint filed by the petitioner, there were several transactions between 2019 to 11.09.2023. The petitioner had not filed any civil suit so far. Be that as it may. The allegation at best discloses a commercial transaction between the petitioner and the 4th respondent's husband and breach of promise made by him. Even assuming that the 4th respondent was also aware of the transaction, that would not make her guilty of the offence of cheating or the other offences alleged. The petitioner had not made any representation.

7. If it is the case of the petitioner that the 4th respondent is due to pay money to the petitioner, it is needless to say that it is open to him to seek remedy before the appropriate Civil Court. The learned Magistrate has considered all the above aspects and rightly rejected the prayer of the petitioner.

8. Therefore this Court finds no infirmity in the impugned order passed in Crl.M.P.No.9530 of 2025 dated 07.07.2025.



Crl.R.C.No.2496 of 2025

WEB COPY

9. Accordingly, this Criminal Revision Petition is dismissed.

sma/ars

05.12.2025

Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No



WEB COPY

To

The Metropolitan Magistrate CCB and CBCID at Egmore, Chennai



Crl.R.C.No.2496 of 2025

SUNDER MOHAN, J.

sma/ars

Crl.R.C.No.2496 of 2025

05.12.2025