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CRL RC No. 2577 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27-11-2025

CORAM
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2577 of 2025

K. Sudhakar
S/o.Kuppusamy,
No. 7/4, Pillayar koil Street,
Ganapathy Nagar, Manimedu,
83, Thandalam, Chennai - 600 128.

..Petitioner(s)

Vs

1.State Rep. by The Inspector of Police
Kaveripakkam Police Station.

2.E.Gnanaprakasam
S/o.Emaraj,
New No. 8C, old No. 4B/5E, Kottai Perumal Kovil
Street, Kaveripakkam, Walaja Taluk, Ranipet.

..Respondent(s)

To call for the records and set aside the order in Crl.M.P.No.
458/2025 dt. 12.09.2025 passed by the District Munsif cum Judicial Magistrate
No.I, Walajapet, Ranipet District.

For Petitioner(s):	Mr. D. Bharathy
For Respondent(s):	Dr.C.E.Pratap, Govt. Advocate (Crl. Side)



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For R1

Order

Challenging the findings rendered in Crl.M.P.No.458 of 2025, dated 12.09.2025 passed by District Munsif cum Judicial Magistrate No.I, Walajapet, Ranipet District, the petitioner/complainant preferred this Criminal Revision Case.

2. Before the trial court, the petitioner filed a petition under Sec.175(3) of B.N.S.S. stating that while he was conducting a chit, the 2nd respondent approached him and obtained a loan of Rs.1,20,000/- long before in the year of 2015. Thereafter, he failed to repay the said amount. Therefore, he filed a complaint before the 1st respondent police in the year 2016, but they have not taken any action against him. Again, he filed a petition before this court in Crl.O.P.No. 11416 of 2018 and the same was ordered in April 2018, thereafter, enquiry was conducted, wherein he had appeared and assured with the 1st respondent police to settle the amount within one month i.e. on or before 23.10.2018, but as on date, he has not settled the amount. Hence, again he preferred a complaint in Crl.M.P.No. 458 of 2025 before the trial court and the



same was dismissed by the trial judge holding that it is a civil in nature.

Aggrieved over that, he preferred this Criminal Revision Case.

3. On seeing the facts, it reveals that it is not a case of loan transaction.

When he sought for a direction from this court, the 2nd respondent appeared before the police and agreed to repay the amount, but he failed to comply the same, which would show his dishonest intention and it would amount to initiate criminal proceedings, but the trial judge failed to appreciate all those facts and circumstances. Considering that, this Court is inclined to allow this Criminal Revision Case and to set aside the findings rendered by the trial judge in Crl.M.P.No.458 of 2025. Accordingly, this Criminal Revision Case is allowed and the 1st respondent police is directed to register the F.I.R. and proceed with the enquiry as per the manner known to law within a period of six weeks from the date of receipt of a copy of this order.

27-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1. Judicial Magistrate No.1, Walajapet, Ranipet Dt.
2. The Inspector of Police, Kaveripakkam Police Station.
3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

RPP

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