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Crl.R.C. No. 104 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C. No. 104 of 2026

B. Asokan
S/o. Balakrishnan
Subramanya Nagar Extension,
Madipakkam, Chennai 600 091.

..Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai, Chennai City Police.

2. The Inspector of Police,
E-2, Royapettah Police Station,
Royapettah, Chennai – 600 014.

..Respondents

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS to call for the records pertaining to the impugned order dated 08.10.2025 passed in Crl.M.P. No. 3721 of 2025 by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai and set aside the same.

For Petitioner :: Mr.T. Muruganantham

For Respondents :: Mr.R. Vinothraja,
Govt. Advocate (Crl.Side)



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ORDER

The revision challenges the dismissal of the petitioner's application filed under Section 210 r/w 223 of BNSS to reject the preliminary enquiry report filed by the 2nd respondent on the complaint given by the petitioner.

2. On 20.01.2026, when the matter was called, learned counsel for the petitioner sought permission to withdraw the revision when this Court was not inclined to entertain the revision and the revision stood dismissed as withdrawn by order dated 20.01.2026. Thereafter, the learned counsel mentioned that the petitioner had objected to his withdrawing the revision without his consent. In order to avoid embarrassment to the learned counsel for the petitioner, the matter has been listed today under the caption 'For Being Mentioned' and this Court is inclined to pass orders on merits in the above revision. Hence, the order dated 20.01.2026 is recalled and the following order is passed.

3. The gist of the petitioner's complaint is that he was employed in a Private Limited Company as a Senior Manager (Legal); that during the course of his employment, he was subjected to extreme mental



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agony and harassment by three officials of the company; that he was made to send certain e-mails which were contrary to the facts and that he was humiliated on account of his caste. Further, he has alleged that various irregularities were committed by the company and its officials in entering into agreements with other companies and has also accused the officials of the company in not producing certain documents to TANGEDCO inspite of repeated demands by TANGEDCO. The complaint further states that regarding power purchase, there was an intermediary company, which had been paid exorbitant amount @0.15paise per unit of electricity. The petitioner has accused the officials of the company in abolishing his post by sending a “ Notice of Cessation of Employment” on 21.05.2021 without any prior intimation.

4. Since the petitioner’s complaint was not taken cognizance by the respondent Police, the petitioner had filed Crl.M.P. No. 3665 of 2024 before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai. Pursuant to a direction given by the said Court, a preliminary enquiry report was filed by the Inspector of Police which stated that the allegations of harassment, cheating by impersonation, fabrication of



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documents, criminal breach of trust, money laundering, were not substantiated; that the petitioner had not lodged any complaint while he was in the service of the company and that the complaint had been lodged as an afterthought after his post was abolished by issuance of “notice of cessation of employment”.

5. The learned Magistrate, after taking into consideration the allegations in the complaint and the enquiry report, dismissed the petitioner’s application by the impugned order. Hence, the present revision.

6. The learned counsel for the petitioner would submit that the allegations attract the offences; that merely because there was delay in lodging the complaint, it would not mean that the offence would be erased; that the enquiry report ought not to have been the basis for the dismissal of the petitioner’s application under Section 175(3) of BNSS and therefore, prayed for setting aside the impugned order.

7. From the complaint filed by the petitioner, it is seen that he has accused the company and its officials of various misdeeds. A reading of the said complaint would reveal that the allegations are made only to wreak vengeance on the company and its officials pursuant to the abolition



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of the post which the petitioner was holding by notice dated 21.05.2021.

The petitioner had not chosen to lodge any complaint while he was in service. The primary grievance of the petitioner is that the proposed accused had illegally abolished the post held by the petitioner against the norms and the laws and to cover up the various offences committed against the petitioner. That apart, the allegations do not constitute any cognizable offence. The alleged misdeeds, which the officials of the company are accused of, cannot be adjudicated by the Police. Further, the allegation with regard to appointment of an intermediary company and payment of Rs.0.15paise per unit of electricity does not constitute any of the offences alleged by the petitioner. In fact, the petitioner has not stated as to what is the exact offence committed by the company officials in entering into such an agreement. The complaint, therefore, was not registered by the Police and in the enquiry, the Police found that no offence was made out and the allegations only expressed the grievance of the petitioner as against the company and its officials. The learned Magistrate also found that the allegations did not disclose any cognizable offence.



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SUNDER MOHAN,J.

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8. Hence, this Court finds no infirmity in the order impugned and the revision stands dismissed.

22.01.2026

Neutral Citation: Yes/No

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To

1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.
2. The Commissioner of Police,
Greater Chennai, Chennai City Police.
3. The Inspector of Police,
E-2, Royapettah Police Station,
Royapettah, Chennai – 600 014.
4. The Public Prosecutor, High Court,
Madras.

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