



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 11400 of 2026

1. S.Vignesh

2. Visalakshi

..Petitioner(s)

Vs

1. The Commissioner
Office of the Commissioner of Police,
Coimbatore.
2. The Assistant Commissioner of Police
Central Crime Branch -1,
Coimbatore.
3. The State rep. by Inspector of Police
Central Crime Branch-1,
Coimbatore.
4. S.Rajasaravanan
Senior Manager, HDFC Bank,
100 Feet Road, Coimbatore.

..Respondent(s)

To direct the 2nd and 3rd respondents not to harass the petitioners
and to pass such further other orders

For Petitioner(s): Mr.B.Thirumalai

For Respondent(s): Mr.R.Rajasekaran,
Government Advocate (Crl. Side) For R1 To R3



ORDER

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This Criminal Original Petition has been filed seeking a direction to the respondents 2 and 3 not to harass the petitioners.

2. The petitioners had mortgaged their property with the fourth respondent and availed a loan of Rs.26,98,00,000/- for their business with M/s.Sri Maruthi Jewels, Sri Sarangapani Jewellery & V One Jewels. They also entered into a Joint Venture Agreement, Memorandum of Understanding and Power of Attorney with one Amutha. The petitioners have invested Rs.60,00,000/- as PGM.

3. According to the petitioners, they suffered losses in the business and were unable to complete the project within the stipulated time. In the meanwhile, due to Covid-19 pandemic, the petitioners could not pay the EMIs to the fourth respondent, who consequently initiated SARFESI proceedings. Subsequently, the petitioners have been harassed to settle the fourth respondent.

4. The learned Government Advocate (Crl. Side) submitted that the fourth respondent, the Fraud and Vigilance Department, HDFC Bank, lodged a complaint stating that the petitioners had taken loan for more than Rs.26 Crores and diverted the loan to some other purpose and not utilised for the purpose for



which it was availed. Therefore, the petitioners were served with summons and called for enquiry. The petitioners appeared and sought time to produce documents in support of their explanation. However, they filed the present petition.

5. Considering the submissions and perusal of materials, it is seen that the complaint has been lodged by the fourth respondent Bank alleging diversion of loan funds and failure to repay the loan amount of Rs.26,98,00,000/-. Therefore, it is necessary for the petitioners to give their explanation before the respondent Police to complete the enquiry. The records reveal that the petitioners were called for enquiry only after issuing summons, which cannot be termed as harassment. The respondent Police shall proceed in accordance with law depending upon the outcome of the enquiry. In any event, the respondent Police shall complete the enquiry within a period of two months from the date of receipt of a copy of this order. Accordingly, this Criminal Original Petition is disposed of.

15-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PVS



To

1. The Commissioner
Office of the Commissioner of Police,
Coimbatore.
2. The Assistant Commissioner of Police
Central Crime Branch -1,
Coimbatore.
3. The Inspector of Police
Central Crime Branch-1,
Coimbatore.
4. The Public Prosecutor,
High Court, Madras.

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CRL OP No. 11400 of 2



M.NIRMAL KUMAR, J.

PVS

CRL OP No. 11400 of 2026

15-06-2026