



WEB COPY

CRL RC No. 47 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 47 of 2026

1. Embar Srinivasan Ravi

Petitioner(s)

Vs

1. The Inspector of Police
T-3, Korattur Police Station, E Ave
Road, TNHB Colony, TVS Industries,
Korattur, Chennai-600080.

2.The Commissioner of Police
Avadi Police Commissionerate, Avadi,
Tamil Nadu 600054.

Respondent(s)

CRL RC No. 47 of 2026

PRAYER

To set aside the Impugned order dated 08.10.2025 passed in Crl.M.P.No.3588 of 2022 by the learned Judicial Magistrate Court, Ambattur and direct the 1st respondent to register FIR and to further investigate the Complaint dated 26.04.2022.

For Petitioner(s): Mr.A.R. Karunakaran



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For Respondent(s): Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The Criminal Revision Case has been filed challenging the order dated 08.10.2025 passed in Crl.M.P.No.3588 of 2022 by the learned Judicial Magistrate Court, Ambattur, dismissing the petitioner's application under Section 175(3) of BNSS.

2. The gist of the complaint is that the proposed accused had borrowed a sum of Rs.5,00,000/- for his business needs; that a loan agreement was entered into between the petitioner and the proposed accused; that thereafter the accused sought extension of time to repay the loan, which was granted; and that, despite the same, the proposed accused neither repaid the loan nor settled certain properties in favour of the petitioner, as promised. It is further alleged that when a complaint was lodged before the police, the proposed accused appeared once and thereafter absconded.

3. The learned Magistrate found that the complaint discloses only a money dispute and that the petitioner ought to have filed a civil suit. It is well settled that the cause of action to file a civil suit does not bar criminal prosecution provided cognizable offences are made out.



4. In this case, admittedly, it is seen that there was a loan agreement between the petitioner and the proposed accused. A mere breach of promise cannot be equated with deception. In the present case, the complaint only suggests a breach of promise. In such view of the matter, the learned Magistrate was justified in dismissing the petitioner's complaint. Therefore, this Court is inclined to dismiss the revision.

5. Accordingly, the Criminal Revision Case is dismissed.

12-01-2026

skr

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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SUNDER MOHAN J.
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