



CrI.O.P.No.8373 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2026

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.8373 of 2026

B.Poongothai

... Petitioner

vs.

State rep by,
The Inspector of Police,
Arakandanallur Police Station,
Villupuram.
Crime No.283 of 2025

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to direct the respondent police to file the
final report in accordance with law in connection with Crime No.283 of
2025 on the file of the respondent police.

For Petitioner : Mr.M.Sudhan

For Respondent : Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor



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ORDER

The petitioner/defacto complainant in Crime No.283 of 2025 filed this Criminal Original Petition seeking direction directing the respondent police to file a final report.

2.The contention of the petitioner is that the petitioner after dinner went to sleep with her grand children. The petitioner's second son Arumugam is employed as Salesman in Chennai. Since Arumugam's wife passed away, the grandchildren staying with her. On 20.08.2025, after they went to sleep by 9.30p.m., some persons entered the house from the back door, opened the Almirah and taken away 5 sovereigns of gold chain, ½ kg silver articles and cash of Rs.50,000/-. The defacto complainant found the theft, the next day morning and lodged a complaint. The respondent police registered a case in Crime No.283 of 2025 for the offence under Sections 331(4) and 305(a) of BNS but no worthwhile investigation conducted. Hence, filed the above petition.

3.The further contention of the petitioner is that the respondent police



came to know that one Arunachalam was arrested in Crime No.168 of 2025 for the offence under Sections 331(4) and 303(a) of BNS on 16.09.2025 by the Inspector of Police, Kandachipuram Police Station. On his arrest, he gave a confession disclosing the fact that he along with two of his accomplice, namely, Ayyasamy and Perumal committed the offence, Arunachalam confirmed that thieved jewels were sold in a jewellery shop at Kandachipuram, received Rs.1,65,000/- and three accused shared Rs.55,000/- each. Further, in his confession he disclosed his involvement in several cases of similar nature with his associates.

4.As regards this case, except recording the statement of defacto complainant and neighbours, no investigation conducted. Though the accused Arunachalam was arrested and produced for remand in this case by way of PT warrant on 13.10.2025, no further investigation and no recovery made. Further, the accused Arunachalam and Vijayakumr filed bail application before the learned Principal Sessions Judge, Villupuram in CMP.No.4884 of 2025. The learned Sessions Judge finding accused having several previous cases of similar nature and property in this case is yet to be recovered, dismissed the bail application on 13.11.2025. Thereafter, since



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investigation could not be completed within the period and no charge sheet filed seekign default bail under Section 187(3) BNSS in CMP.No.26 of 2026, the District Munsif cum Judicial Magistrate, Thiruvannainallur by order dated 12.01.2026 recording from the date of arrest for more than 92 days, charge sheet not filed, granted bail with conditions and one of the condition was that the accused to appear before the respondent police daily at 10.00 a.m. and 5.00 p.m. until further orders but still the case is kept pending and no recovery made.

5.The Additional Public Prosecutor produced the confession statement of the accused Arunachalam. It is seen accused Arunachalam was arrested by Kandachipuram Police on 16.09.2025 and in his confession, he admits committing house breaking and theft of gold jewels and cash from the defacto complainant's house and admits that he sold the gold jewels and silver articles in a jewellery shop at Kandachipuram and collected Rs.1,65,000/-. Since in the confession, the accused stated that he gave fees to his Advocate and settled his loans with the amount, no recovery could be made. He further submitted that on registration of case, statement of defacto complainant and neighbours recorded, prepared observation mahazar and



rough sketch in the presence of witnesses and finding that the accused Arunachalam and Vijayakumar were in Jail, PT warrant obtained and shown arrest in this case. Now the investigation is in progress and soon, charge sheet will be filed in this case.

6.This Court on the submission of the learned Additional Public Prosecutor was not satisfied in the manner investigation is so far proceeded and hence, called for the case diary and perused the same.

7.On perusal of case diary, this Court finds that the accused Arunachalam is involved in 20 cases of house breaking, theft, chain snatching from the year 2001 to 2020 in various places and cases registered in the following Police Stations, viz., Nellikuppam Police Station, Selaiyur Police Station, Gingee Police Station, Kandamangalam Police Station, Poonamallee Police Station, Thiruverkadu Police Station, Tindivanama Police Station, Villupuram Police Station, Mayilam Police Station, Nallanpillaipetran Police Station, Ananthapuram Police Station, Ambattur Estate Police Station, Ranipettai Police Station, Kolathur Police Station, Uthiramerur Police Station, Thirukoilur Police Station, Pallikaranai Police Station, Kandachipuram



Police Station, Vadavambakkam Police Station, Chithathur Police Station

and by the respondent police. The accused Arunachalam gave details of cases he was involved and the details of his accomplice. In this case, the respondent police after coming to know of the arrest of Arunachalam by Kandachipuram Police, formally arrested him on 27.09.2025, sought for PT warrant on 10.10.2025 and the accused was produced for remand before the Magistrate on 13.10.2025. It is seen that after arrest of the accused, some gold jewels and ingots seized, but accounted in other cases. It is seen that after the arrest of the accused, no police custody taken, no finger print or sniffer dog service collected from the scene and from the Crime Record Bureau. Further, after the accused confessed about his involvement in other cases, no enquiry made with other Police and no investigation conducted in this regard. Further, the other accused in this case is yet to be arrested. From the Case Diary, it is seen that on 21.08.2025, statement of five witnesses recorded, thereafter on 27.09.2025 formal arrest and request for PT warrant recorded, on 10.10.2025 obtaining of PT warrant and producing the accused for remanded on 13.10.2025, thereafter no investigation conducted. The accused seems to be a regular offender committing similar offence from the year 2001 and continues to indulge in similar kind of



offences and he is also an accused in a murder case. Though wealth of information collected but no investigation conducted and even the witnesses for the confession, statements not recorded or collected in this case. Further, no steps taken to identify the jewellery shop at Kandachipuram to recover and seized the jewels and valuables. The accused appears to lead a comfortable life with his wife and children, enjoying the booty and sharing with this brother and his accomplice. Thus, how in a recklessness manner investigation conducted in this case. Admittedly, the defacto complainant, a senior citizen aged about 75 years lost her life long savings not alleviated of her loss and sufferings. It is a known fact that in the case of house breaking, theft and robbery, the recoveries are recorded on priorities in certain cases alone and no sincere steps taken to record the true facts of robbed values and to recover the consequential properties, acquired following the commission of offence. The above case is a glaring example as to how investigation in property theft case conducted in lacklustre manner.

7.In view of the above, this Court transfers the investigation in Crime No.283 of 2025 from the file of Arakandanallur Police Station to the file of Additional Superintendent of Police, Villupuram, to take up further



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investigation and to take all efforts to recover the valuable articles involved in this case. The Investigating Officer to show alacrity to the pain and sufferings of the defacto complainant and to conduct investigation without any slackness. The Superintendent of Police, Villupuram to monitor the investigation and ensure that the investigation is conducted in the manner as required with seriousness.

8. With the above directions, the Criminal Original Petition stands disposed of.

15.04.2026

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
cse



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To

- 1.The Inspector of Police,
Arakandanallur Police Station,
Villupuram.
- 2.The Additional Superintendent of Police,
Villupuram.
- 3.The Superintendent of Police,
Villupuram.
- 4.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

cse

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