



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 19415 of 2026

Devi Palanisamy
Rep. by its Power of Attorney,
R.M.Kumaresan,
S/o. Marisamy,
No.9, 3rd Street, Suresh Nagar,
Valasaravakkam, Chennai.

..Petitioner(s)

Vs

1. The Commissioner of police,
Greater Chennai Police,
No.132, E.V.R.Periyar Salai,
Vepery, Chennai.
2. The Assistant Commissioner of Police,
Central Crime Branch,
Forgery Investigation wing,
Vepery, Chennai 600 007.
3. The Inspector of Police,
Central Crime Branch, Beta-8,
o/o. The commissioner of Police,
Vepery, Chennai 600 007.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of the BNSS, to set aside the closure report dated 06.06.2026 issued by the 2nd respondent and to take cognizance of the offence.

For Petitioner(s):

Mr.MA.Gouthaman

For Respondent(s):

Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)



ORDER

WEB COPY

The prayer in this Criminal Original Petition is to set aside the closure report dated 06.06.2026 filed by the 2nd respondent, to take cognizance of the offences disclosed therein, and to pass such further orders.

2. Upon hearing the learned counsel for the petitioner, the grievance of the petitioner is that persons totally unconnected with the society, claiming themselves to be the office bearers of the society, are trying to usurp the society itself, including its properties and assets.

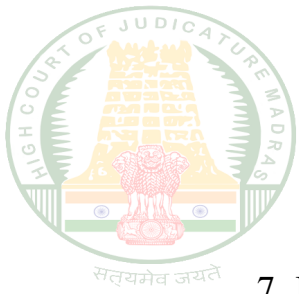
3. When the petitioner originally filed a complaint, no action was taken, and as such, the petitioner approached the learned Magistrate under Section 156(3). The learned Magistrate directed an investigation, after which a report was filed stating that no offence was made out. The Trial Court did not accept the said final report and once again remanded the matter back to the police authorities to conduct a further investigation, especially by involving higher police officials.



4. Now, a closure report has been filed once again by the Assistant Commissioner of Police on 06.06.2026, holding once more that no offence is made out.

5. In this regard, the learned counsel for the petitioner specifically drew the attention of this Court to the report of the District Registrar dated 25.02.2025. On page 5 of the said report, the Registrar categorically mentioned that the signature of Tmt.Devi Palaniswamy in the by-law and the memorandum of Association submitted to the Registrar of Societies, Central Chennai, is not the same as seen in the records/filings submitted by the present society. By stating so, the Registrar has concluded that the signatures are forged.

6. Upon a query by this Court as to the specific document in which the signature of the petitioner was forged, the learned counsel for the petitioner pointed to the minutes of the Annual General Body Meeting dated 23.09.1995. He submitted that one of the signatures contained therein is purported to be that of the petitioner, wrongly mentioning her name as “Devaki Palaniswamy” even though her name is actually “Devi Palaniswamy”, and that the purported signature contained therein is forged.

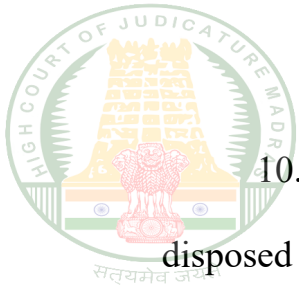


WEB COPY

7. I have considered the submissions made by the learned counsel for the petitioner.

8. Even if an offence is made out and the police have wrongly filed a closure report, the petitioner can very well appear before the learned Magistrate and file a protest petition. Since the earlier remand by the learned Magistrate to the higher authorities did not yield a result, if the petitioner is able to demonstrate the offences committed in the protest petition, it is for the learned Magistrate to apply his mind. If any offence is made out, the Magistrate shall certainly take the protest petition and the additional materials on file, treat the same as a private complaint, take cognizance of the offence, and issue a summons to the accused.

9. Therefore, when such a remedy is available, the prayer made in this petition to set aside the closure report cannot be countenanced, and the liberty as aforesaid is preserved to the petitioner.



10. With the above observations, this Criminal Original Petition stands disposed of. The protest petition, if any, filed within a period of one week from the date of receipt of a web copy of this order, shall be dealt with by the learned Judicial Magistrate in a manner known to law.

22-07-2026

Neutral Citation: Yes/No
jas

To

- 1.The Commissioner of police,
Greater Chennai Police,
No.132, E.V.R.Periyar Salai,
Vepery, Chennai.
- 2.The Assistant Commissioner of Police,
Central Crime Branch,
Forgery Investigation wing,
Vepery, Chennai 600 007.
- 3.The Inspector of Police,
Central Crime Branch, Beta-8,
O/o. The commissioner of Police,
Vepery, Chennai 600 007.
- 4.The Public Prosecutor,
Madras High Court.



WEB COPY

CRL OP No. 19415 of 2



D.BHARATHA CHAKRAVARTHY, J.

jas

CRL OP No. 19415 of 2026

22-07-2026