



CRL OP(MD), No.7601 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **20.04.2026**

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL OP(MD)No.7601 of 2026

Mariammal

... Petitioner

Vs

1.State of Tamilnadu,
Represented by
The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Sivagiri Police Station,
Sivagiri, Tenkasi.
(Crime No.40 of 2025)

... Respondents

Prayer: Petition filed under Section 528 of BNSS, to direct the respondents to re-investigate the matter in connection with FIR in Crime No.40 of 2025 pending investigation on the file of the respondent within stipulated time.

For Petitioner : Mr.K.Abiya

For Respondents : Mr.B.Thanga Aravindh



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ORDER

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The petitioner, who has lodged a complaint in Crime No.40 of 2025 on the file of the respondent Police has approached this Court seeking a direction to the respondent Police to conduct re-investigation.

2. The petitioner has lodged a complaint as against her husband (A1), in-laws (A2 & A3) and one Murugan that A1 to A3 have taken the jewels of the petitioner without her knowledge and sold the same to Murugan. The complaint of this petitioner was not registered by the respondent Police and therefore, this petitioner has filed a complaint before the learned Additional District Munsif cum Judicial Magistrate, Sivagiri and on his directions, the case has been registered in Crime No. 40 of 2025 on the file of the respondent Police.

3. The grievance of the petitioner is that though this petitioner has lodged a complaint that her jewels are with one Murugan, the respondent Police have failed to register the case as against Murugan.



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4. The learned Government Advocate (Crl. Side) appearing for the respondents submits that the said Murugan has purchased the jewels of this petitioner from A1. The police has recorded statement from the said Murugan, wherein he has stated that, if A1 is returning the money, then he would return the jewels. Hence, the Police has not registered a case as against Murugan, as he is the *bonafide* purchaser from A1.

5. This Court considered the rival submissions and perused the materials placed on record.

6. The case of the petitioner is that without her knowledge, her jewels were sold by A1 to A3 to Murugan. The respondent Police has recorded the statement from Murugan, wherein, he has stated that he purchased jewels from A1 and if A1 returns the money, he will return the jewels. However, the jewels are crime properties, which need to be recovered. The conduct of the respondent Police in not registering the case as against A4, who admits that the jewels are with him, is not proper.



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7. In such circumstances, this Court is inclined to allow this petition. The Superintendent of Police, Tenkasi District is directed to withdraw this case from the file of the respondent Police and entrust the same to some other senior officer and ensure that the investigation in Crime No.40 of 2025 on the file of the respondent Police is conducted in a proper manner.

8. With the above direction, this Criminal Original Petition is allowed.

20.04.2026

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To

1. The Superintendent of Police,
Tenkasi District.

2. The Inspector of Police,
Sivagiri Police Station,
Sivagiri, Tenkasi.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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B.PUGALENDHI, J.

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