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Crl.OP.No.25694 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.OP.No.25694 of 2025

M.Nirmala W/o.Moorthy

...Petitioner

Vs.

1. State rep by
The Commissioner of Police,
Tambaram Commissionerate,
Chennai.

2. The Inspector of Police,
Guduvancherry Police Station,
Chengalpattu.

...Respondents

Criminal Original Petition filed under Section 503 of BNSS, 2023 to call for the records pertain to final report filed in C.C.No.403 of 2024 on the file of Additional Mahila Court at Chengalpattu and set aside the same and consequently transfer the investigation in Crime No.1044 of 2021 from 2nd respondent to any other investigating agent for further investigation and file the final report afresh.

For Petitioner : Mr.K.Karthik

For Respondents : Mr.S.Santhosh
Government Advocate (Crl.Side)



CrI.OP.No.25694 of 2025

ORDER

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This petition has been filed seeking to quash the final report filed in C.C.No.403 of 2024 on the file of Additional Mahila Court at Chengalpattu and to consequently, transfer the investigation in Crime No.1044 of 2021 from the file of the second respondent to any other investigating agency for further investigation and to file a final report afresh.

2. The case of the petitioner is that on 27.07.2020, when she was standing in front of her house, five persons viz., Babu, Mastan, Azan, Ajmath and Razal broke open the door and trespassed into her house and grabbed gold ornaments and threatened her with dire consequences. Though the petitioner had given a complaint before the second respondent police, the police officials did not take any action. Hence, she instituted CrI.M.P.No.7528 of 2021 before the Judicial Magistrate Court No.II, Chengalpattu, seeking to register a case against the aforesaid persons and the same was allowed vide order dated 04.10.2021, pursuant to which, a case in Cr.No.1044 of 2021, was registered on 17.11.2021 and a final report was filed leaving the principal offender. Aggrieved over the improper investigation conducted by the second respondent, the present petition has



Crl.OP.No.25694 of 2025

been filed seeking the aforesaid relief.

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3. The learned counsel for the petitioner submits that though the petitioner has made specific averments against the said Ajmath and Razal, their names were left out in the charge sheet. He further submits that without conducting a fair and proper investigation, the final report has been filed which is *per se* unsustainable.

4. The learned Government Advocate (Crl.Side) appearing for the respondents submits that the respondents have conducted the investigation in a fair and proper manner and have filed the final report. He further submits that there is a civil dispute pending between the parties. He further submits that if the petitioner is aggrieved by the final report, the proper course available is that he should have filed a protest petition and at this stage, the present petition seeking to quash the aforesaid proceedings is not maintainable. He further submits that the case now stands posted for examination of L.W.1 on 19.12.2025.

5. Taking into consideration the facts and circumstances of the case,



Crl.OP.No.25694 of 2025

this Court is of the opinion that the petition seeking quashment of the final report cannot be maintained, since the proper course available to the petitioner is to file a protest petition challenging the charge sheet filed by the second respondent. In the event of there being evidence / material against the other left out accused, the trial Court shall take appropriate action in accordance with law.

6. With the above observation and directions, this criminal original petition stands closed.

18.12.2025
2/2

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NCC : Yes/No



Crl.OP.No.25694 of 2025

WEB COPY

To:

1. The Commissioner of Police,
Tambaram Commissionerate,
Chennai.
2. The Inspector of Police,
Guduvancherry Police Station,
Chengalpattu.
3. The Public Prosecutor,
Madras High Court.
4. The Additional Mahila Court at Chengalpattu



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Crl.OP.No.25694 of 2025

A.D.JAGADISH CHANDIRA, J.

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Crl.OP.No.25694 of 2025

18.12.2025

2/2