



WEB COPY

WP CrI. No. 781 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP CrI. No. 781 of 2025

1. R.Monisha

W/o.N.Rajesh kumar, Villa VII, Phase
II, Chettinadu Enclave, S.Kolathur
Road, Pallikaranai, Chennai - 600100.

Petitioner

Vs

The Judicial Magistrate -I,
Combined courts Alandur, Chennai.

Respondent(s)

PRAYER: Writ Petition filed under Art.226 of the Constitution of India seeking a direction to the respondent to follow an appropriate procedure based on filing petitions U/s 175(3) of BNSS Act, 2023.

For Petitioner(s): Mr. K.Selvaganapathy

For Respondent: Mr. R.Vinothraja, GA (crl.side)

ORDER

This Writ Petition is filed seeking a direction to the respondent to follow an appropriate procedure based on filing petitions U/s 175(3) of BNSS Act, 2023.



2. Learned counsel for the petitioner submitted that the petitioner had lodged a complaint against one Satish Kumar and his wife Indira Priyadarshani alleging that on the assurance given by said Sathish Kumar and his wife Indira Priyadarshani that they would give monthly returns deriving from their trading profits, the petitioner and her husband jointly invested Rs.58 lakhs through online in various instalments into the account of the abovesaid Sathish Kumar. Later, when they failed to remit the monthly returns as assured by them, the petitioner, on enquiry, came to know that they have absconded from their place. Thus, the above said persons have defrauded the petitioner and her husband by taking away their hard earned money.

3. Having regard to the same, the petitioner lodged a complaint against the above said persons with the Commissioner of Police, Tambaram, for the offence under sections 316 and 318 of BNSS Act, 2023. After lodging complaint, the petitioner has also filed a petition in CrI.M.P.SR.No.3865 of 2025 before the respondent under section 175(3) of BNSS Act, 2023, but the same was returned twice. It is the grievance of the petitioner that despite lodging written information with the respondent on two occasions, no action



has been taken by the respondent on the complaint lodged by the petitioner.

Hence, the present writ petition.

4. The learned Govt. Advocate (crl.side) appearing for the respondent, on instructions, submitted that the complaint which was lodged before the Commissioner Office, Tambaram has been forwarded to Central Crime Branch, Tambaram. On receipt of the said complaint, the Central Crime Branch, Tambaram will look into the matter and investigate the same properly.

5. On perusal of the affidavit filed by the petitioner, the petitioner seeks to issue guideline to the respondent/Magistrate in respect of certain aspects. At the outset, this Court is of the view that having given a complaint before the police and without even waiting for the police concerned to take necessary action, again, the petitioner filed a petition under section 156 of Cr.P.C., before the respondent seeking a direction to investigate the matter and this will lead to further complication. In view of the above, I do not find any merits in this petition. Hence, this petition is dismissed. No costs.

msr

09-09-2025

Index: Yes/No

Internet: Yes



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To

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N.SATHISH KUMAR J.

msr

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