



WEB COPY

CRL RC No. 1996 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 10-10-2025**

CORAM

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL RC No. 1996 of 2025**

J.Malar

W/o. Late. Jayabal, South Street,  
Thoppur Colony, Yervaipattinam  
(Village), Chinnasalem Taluk,  
Kallakurichi District.

Petitioner(s)

Vs

The Inspector of Police  
Kachirapalayam Police Station,  
Kallakurichi District.

Respondent(s)

**PRAYER**

To set aside the order passed in CrI.M.P.No. 2306/2025 dt.02.08.2025 on the file of the learned Judicial Magistrate No.I, Kallakurichi and consequently direct the respondents to re-open the investigation in Crime No. 204/2025.

For Petitioner(s): M/sV.Vadivalagia Nambi

For Respondent(s): Dr.C.E.Pratap,  
Govt. Advocate (Crl. Side)

**ORDER**

**WEB COPY** Challenging the impugned order passed by the Judicial Magistrate No.1, Kallakurichi in CrI.M.P.No.2306 of 2025 dated 02.08.2025, the petitioner/defacto complainant preferred this Criminal Revision Petition.

2. The learned counsel for petitioner would submit that with sufficient materials, she gave a complaint before the respondent police, based on that, F.I.R. in Crime No. 204 of 2025 was lodged against the accused under Sec.318(4), 296(b), 351(2) of B.N.S. After investigation, the respondent police closed the final report. For that, the petitioner had raised objections by filing a protest petition and the same was also dismissed with a liberty to file a private complaint. Aggrieved over that, the defacto complainant preferred this Criminal Revision Case.

3. The learned counsel would also submit that the petitioner's husband Jayapaul on believing the false promise given by the accused Vijay to get a job at Dubai, he had paid a sum of Rs.2,00,000/-, based on that, he went to Dubai on tourist visa, wherein in Dubai, her husband suffered with cardiac problem



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and with ventilation he was sent back to India within two days, thereafter, he died in his native place at Kallakurichi. By giving false promise, the accused Vijay and his henchmen received money from her husband and also ill-treated her, apart from that, after the death of her husband, they have threatened her. So, she gave a complaint, but the said complaint was closed stating that by relying the statement of travel agent and considering the fact that deceased husband of petitioner went to Dubai with clear knowledge of tourist visa. Accordingly, the complaint was closed.

5. Heard and considered rival submissions made by learned counsel for petitioner and perused materials available on record.

6. On seeing the facts, the deceased husband was cheated by the accused Vijay according to the complaint given by his wife. It is also admitted fact that Jayapaul was suffered with cardiac arrest and with ventilation, he came back to India. If at all, on tourist visa, her husband went to Dubai, but the accused received a sum of Rs.2,00,000/- for getting the job at Dubai, for which only, the amount was paid by the petitioner's husband. So, when there is a prima facie materials against the accused, the closure report filed by the investigating



officer as such is erroneous one and liable to be set aside. So, also, the protest

petition filed in Crl.M.P.No.2306 of 2025 dismissed by the trial judge is set

aside, since the learned judge also failed to appreciate the facts and

circumstances narrated in the complaint. The respondent police is directed to

register the F.I.R. and conduct enquiry as per manner known to law and also to

conduct further investigation against the accused Vijay and his henchmen within

a period of 12 weeks from the date of receipt of copy of this order. Accordingly,

this Criminal Revision Case is allowed.

**10-10-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Judicial Magistrate No.1, Kallakurichi.

2. The Inspector of Police

Kachirapalayam Police Station, Kallakurichi District.

3. The Public Prosecutor, High Court, Madras.



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**T.V.THAMILSELVI J.**

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