

Crl.O.P.(MD)No.12498 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12498 of 2025

Vijitha

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep by the Inspector of Police,
Jetty Police Station,
Ramanathapuram District.
Crime No. 89/2024.

2.Vijayakumar

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the records relating to Crime No.89 of 2024, on the file of the first Respondent police, dated 18.07.2024 and quash the same in respect of the petitioner.

For Petitioner
For R1

: Mr.K.Sakthivel
: Mr.P.Kottaichamy
Government Advocate (Crl.side)



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ORDER

The petitioner is a Srilankan citizen. The respondent police has registered a case as against this petitioner in Crime No.89 of 2024, for the offence under Sections 14C of Foreigners Act, 1946 and 12(1) (a) of Passport Act, 1967, that she has attempted to travel Sri Lanka in a boat, without any valid documents. To quash the above proceedings, the petitioner has moved this petition.

2. The learned counsel for the petitioner submits that this petitioner has visited India with valid passport and visa, for the purpose of taking treatment and after taking treatment, she wanted to return to Srilanka. However, the respondent police has registered a case as if this petitioner has visited India and also attempted to travel to Sri Lanka, without any valid documents.

3. Mr. P. Kottaichamy, learned Government Advocate (Crl.side), who takes notice for R1 submits that this petitioner has



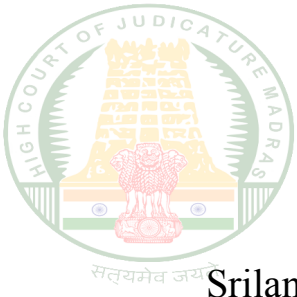
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entered India on a tourist visa, stayed in India. She is working in Tamil Nadu for nearly nine years. And when she has attempted to return to Sri Lanka through sea, without proper documents, she was secured by the respondent police and a case has also been registered. According to the learned Government Advocate, the investigation in Crime No.89 of 2024 has already been completed and the final report is also made ready and they are likely to file the same by tomorrow. A copy of the final report is also placed before this Court.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner claims that she is a Srilankan citizen. she has come to India for taking treatment and after treatment, she has attempted to go to Srilanka with the required documents, however, the respondent police has intercepted and registered a criminal case as against her. On the side of the respondents, it is stated that though the petitioner has visited India for taking treatment, she obtained a job and working in India for nine years and now she attempted to travel



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Srilanka, without any valid documents. Therefore, they have registered a case in Crime No.89 of 2024 as against the petitioner. It is also reported that the investigation has been completed and final report is also made ready. A copy of the final report is placed before this Court. The petitioner's counsel is permitted to go through the contents of the final report.

6.Since it is reported that final report in Crime No.89 of 2024 is made ready by the respondent police and they are about to file the same in a day, this Court is not inclined to quash the proceedings in Crime No.89 of 2024. Mere filing of final report is not sufficient and it is the responsibility of the respondent police to ensure that the final report is filed without any defects and it is taken on file by the concerned Court within a period of two weeks. It is also the responsibility of the concerned Courts to take the final reports on file, if it is filed in order, within a period of two weeks.



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7. With the above observations and direction, this Criminal

Original Petition is closed with liberty to this petitioner to challenge the final report in the manner known to law.

24.07.2025

NCC : Yes/No

Index : Yes/No

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To

The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.



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B.PUGALENDHI,J

vrn

Order made in
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