



Crl. O.P(MD) NO. 22893 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.12.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl. O.P(MD) No. 22893 of 2025

Ruth Flory Aaron

... Petitioner

Vs

1. State of Tamilnadu,
Rep by The Superintendent of Police,
Water Tower,
Round Road,
Elil Nagar,
Dindigul 624 005.

2. State of Tamilnadu
Rep by Inspector of Police,
Kodaikanal Police Station,
Dindigul 624 101.

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to direct the first respondent to conduct preliminary enquiry under section 173(3) of BNSS, 2023 based upon the petitioner's complaint dated 14.11.2025 in accordance with law.

For petitioner :Mr. E.Somasundaram



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For Respondents :Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to direct the first respondent to conduct a preliminary enquiry under Section 173(3) of BNSS, 2023, based upon the petitioner's complaint dated 14.11.2025.

2. The case of the prosecution is that the petitioner rented her house to one Senthil Kumar. However, the said Senthil Kumar and other accused persons fraudulently obtained her signatures and executed a gift deed in favour of Senthil Kumar. Regarding the same, the petitioner lodged a complaint on 14.11.2025. However, so far, no action has been taken. Hence the case.

3. This Court has heard both sides and perused the records.

4. It is needless to point out that whenever a complaint of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate



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orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the complaint made to the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5. Considering the fact that the petitioner is a senior citizen aged about 81 years, without going into the merits of this case, this Court hereby directs the respondents to act upon the complaint made by the petitioner and conclude the enquiry within a period of four (4) weeks from the date of receipt of a copy of this order and if a *prima facie* case is made out against the accused, an FIR shall be registered forthwith.

6. Accordingly, this writ petition stands disposed of. No costs.

15.12.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd



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Water Tower,
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Elil Nagar,
Dindigul 624 005.

2. The Inspector of Police,
Kodaikanal Police Station,
Dindigul 624 101.

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



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L.VICTORIA GOWRI,J

apd

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