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Crl.O.P.No.4066 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4066 of 2026

and

Crl.M.P.No.2821 of 2026

1.Sanjeevi
2.Akbar Ali

... Petitioners

-Vs-

1.The State Rep.by its,
The Inspector of Police (Crime)
C2, Elephant Gate Police Station,
Chennai.
Cr.No.434 of 2025.

2Pravin Kumar Saini

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S, to call for the records quash the First Information Report in Crime No. 434/2025 dt. 27.12.2025 on the file of the 1st respondent police insofar as they relate to the petitioners/accused Nos. 2 and 3.

For Petitioners : Mr.H.Mohamed Ghouse

For R1 : Mr.S.Santhosh
Government Advocate (Crl.Side)



Crl.O.P.No.4066 of 2026

ORDER

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The present Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No. 434 of 2025, pending on the file of the first respondent police.

2. The brief facts of the case are that the petitioners (A-2 and A-3) have been arrayed as accused in Crime No. 434 of 2025, registered on 27.12.2025, for an alleged offence punishable under Section 316(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, based on the complaint lodged by the 2nd respondent, the Manager of M/s. Jai Mata Di Logistics. It is alleged that out of five parcels booked through the 1st accused (A-1) and transported via the petitioners, one parcel containing gold, silver, and diamond jewellery valued at approximately Rs. 90 lakhs was found missing.

3. The learned counsel appearing for the petitioners submitted that the petitioners are only the logistics service provider, who transported and handed over the goods to their office at Bangalore and they did not commit any offence. He further submitted that the petitioners on coming to know that the parcel was missing, lodged a complaint before the Bangalore police on 23.11.2025. Therefore, the petitioners cannot be mulcted with criminal liability.



Crl.O.P.No.4066 of 2026

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the 1st respondent submitted that the de facto complainant had booked the parcels containing jewellery worth Rs.90 lakhs, which was first handed over to the 1st accused. The 1st accused, in turn, had handed over the same to the present petitioners for transportation to Bangalore. However, it has been lost during transit and the case has been registered only on 27.12.2025.

5. He further contended that whether the petitioners were complicit in the offence or not, is a matter for the investigation. Since the investigation is at a very nascent stage, the FIR cannot be quashed. In this regard, reliance was placed on a judgment of the Hon'ble Supreme Court, in the case of ***State Vs. M.Maridoss and Another*** reported in (2023) 4 SCC 338, wherein it has been held that, it is the right conferred upon the investigating agency to conduct the investigation and reasonable time should be given to the investigating agency to conduct the investigation unless it is found that the allegations in the FIR do not disclose any cognizable offence at all or the complaint is barred by any law.

6. Heard both sides and perused the materials available on record.

7. Upon perusal of the materials, since this Court finds that the case



Crl.O.P.No.4066 of 2026

was registered only on 27.12.2025 and that the investigation is at a very nascent stage and there are materials against the petitioners, this Court is not inclined to interdict the investigation at this stage.

8. At this juncture, the learned counsel appearing for the petitioners submitted that the 1st respondent police may be directed to consider the materials available with the petitioners and to complete the investigation as expeditiously as possible.

9. As held by the Hon'ble Supreme Court in *M.Maridoss (supra)*, the right conferred upon the investigating agency should not be stifled and a reasonable time must be given to the investigating agency to conduct the investigation.

10. In view of the above, this Criminal Original Petition stands dismissed. Consequently, the connected Miscellaneous Petition is closed. However, the first respondent police is directed to conduct a fair and thorough investigation.

19.02.2026

Index : Yes/No
Neutral Citation: Yes/No
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To

Page 4 of 6



Crl.O.P.No.4066 of 2026

1.The Inspector of Police (Crime)
C2, Elephant Gate Police Station,
Chennai.

2.The Public Prosecutor,
High Court of Madras,
Chennai.



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CrI.O.P.No.4066 of 2026

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CrI.O.P.No.4066 of 2026

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