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CRL OP No. 5235 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5235 of 2026

P.Afrose Basha

..Petitioner(s)

Vs

The Inspector of Police,
Town Police Station,
Vaniyambadi - 635 751,
Tirupathur District.

..Respondent(s)

PRAYER: This Criminal Original Petition is filed under Section 528 of BNSS to direct the learned Judicial Magistrate at Vaniyambadi to dispose a petition in CrI.M.P. No.3498 of 2025 filed on 06.10.2025 within stipulated period of time prescribed by this Court.

For Petitioner:

Mr.R.Sunil Kumar

For Respondent:

Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor



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ORDER

The Criminal Original Petition has been filed seeking a direction to the learned Judicial Magistrate, Vaniyambadi, to dispose of the petition in Crl.M.P. No.3498 of 2025, filed on 06.10.2025, within a stipulated period of time.

2. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent.

3. Considering the submissions made by the learned counsel on either side and upon perusal of the materials available on record, it is seen that the petitioner, as complainant, had filed a complaint under Section 156(3) of the Code of Criminal Procedure seeking a direction to the Trial Court to order the respondent police to register an FIR on the complaint given by the petitioner.

4. It is the contention of the petitioner that he was appointed as Muthawalli by the Waqf Board for the period from 21.03.2025 to 22.01.2028.



As against which, One Anees Ahamed, has filed a case before the Tamil Nadu Waqf Board. While proceedings regarding the said appointment were pending, on 14.07.2025 at about 8.00 p.m., some of the persons named in the complaint allegedly trespassed into the Dargah premises, broke open the offering hundial and committed theft of the amount kept therein.

5. According to the petitioner, the occurrence was captured in the CCTV cameras installed in the premises and the recordings, along with a CD, were produced before the respondent police on 16.07.2025. The complaint was received and assigned CSR No.511 of 2025. However, no further action has been taken by the police despite the allegation disclosing a cognizable offence. Hence, the petitioner approached the jurisdictional Magistrate by filing the above petition, which is still pending without any orders.

6. The learned Additional Public Prosecutor submitted that the said petition is now posted “for orders” on 24.03.2026.



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7. In view of the above, this Court directs the learned Judicial Magistrate, Vaniyambadi, to consider the petitioner's complaint and, if a cognizable offence is made out, pass appropriate orders either directing registration of an FIR or passing any other order on merits in accordance with law, without further delay, preferably on or before 24.03.2026.

8. With the above direction, the Criminal Original Petition stands disposed of.

10-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

RKP

To

1. The Judicial Magistrate at Vaniyambadi.
2. The Inspector of Police,
Town Police Station,
Vaniyambadi - 635751,
Tirupathur District.



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M.NIRMAL KUMAR, J.

RKP

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