



W.P.Crl.No.594 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P. Crl. No. 594 of 2026

S. Mathivanan

... Petitioner

Vs.

1.The Inspector of Police,
Thiyagadhurugam Police Station,
Thiyagadhurugam,
Kallakurichi, Kallakurichi District.

2.Rajamanikandan

3.Subramaniyan @ Kannayiram

4.Pazhanisamy

5.Vijayalakshmi @ Selvi

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus directing the 1st respondent to dispose of the petitioner's representation dated 05.02.2026 to arrest or secure the 2nd to 5th respondents in Crime No.7 of 2026 U/s.296(b), 115(2), 351(3), 304(2) of BNS Act on 08.01.2026.

For Petitioner : Mr. Sashi Chandra Sundar
for Mr. P. Arumugam

For Respondents: Mr. Leonard Arul Joseph Selvam,
Additional Public Prosecutor for R1
Assisted by Ms. T. Harshana



ORDER

WEB COPY

This Writ Petition (Criminal) has been filed seeking a direction to the 1st respondent police to consider and dispose of the petitioner's representation dated 05.02.2026 and to take appropriate action to arrest or secure the 2nd to 5th respondents in connection with Crime No.7 of 2026 registered under Section 296(b), 115(2), 351(3), 304(2) of BNS Act, dated 08.01.2026.

2. The petitioner, as the complainant, had lodged a complaint, pursuant to which a case in Crime No.7 of 2026 was registered on 08.01.2026 for the offences under Sections 296(b), 115(2), 351(3) and 304(2) of the BNS Act.

3. The primary contention of the petitioner is that the FIR was not registered immediately and that the petitioner was constrained to file a petition before the Magistrate and thereafter, before this Court, pursuant to which the FIR came to be registered. It is further contended that the respondent police are in collusion with the accused persons and are not taking any effective action, thereby emboldening the accused to further

2/5



threaten the petitioner. The petitioner is unable to visit his native place and peacefully enjoy his property and therefore sought a direction to the Inspector of Police to arrest and secure the accused persons.

4.The learned Additional Public Prosecutor appearing for the 1st respondent submitted that based on the complaint of the petitioner, a case in Crime No.7 of 2026 has now been registered. It was further submitted that the petitioner has not appeared before the respondent police to give his statement and hence, the investigation is stalled. It was also submitted that with regard to the other accused, further steps would be taken only after the petitioner appears before the respondent police and gives his statement and other materials are collected. Thereafter, appropriate steps would be taken to secure the presence of the accused persons for the purpose of investigation and if any default is committed, coercive action would be taken against them in accordance with law.

5. Considering the submissions and on perusal of the materials, it is seen that the petitioner was constrained to knock the doors of this Court for registration of the case against the accused persons. The learned Additional



W.P.Crl.No.594 of 2026

Public Prosecutor fairly submitted that the respondent police have not conducted any investigation with the accused and are attributing the delay to the non-appearance and non-cooperation of the petitioner.

6. In view of the above, this Court directs the petitioner to appear before the respondent police and give his statement. Thereafter, the respondent police shall proceed with the investigation and take appropriate steps in accordance with law against the accused persons. The entire investigation shall be monitored by the Deputy Superintendent of Police, Kallakurichi periodically and ensure that final report is filed in this case within a period of three months from the date of receipt of copy of this order.

7. With the above directions, this Writ Petition (Criminal) is disposed of. No costs.

23.03.2026

Neutral Citation: Yes/No
AT



WEB COPY



W.P.Crl.No.594 of 2026

M.NIRMAL KUMAR, J.

AT

To

- 1.The Inspector of Police,
Thiyagadhurugam Police Station,
Thiyagadhurugam,
Kallakurichi, Kallakurichi District.
- 2.The Deputy Superintendent of Police,
Kallakurichi
- 3.The Public Prosecutor,
High Court of Madras.

W.P.Crl.No. 594 of 2026

23.03.2026