



WEB COPY

CRL RC No. 701 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL RC No. 701 of 2026

1.Marie Wilson

2.Nestor

..Petitioners

Vs

1.The State Rep by
Station House Officer,
Lawspet Police Station,
Through Asst. Public Prosecutor,
Puducherry.
(Crime No.134 of 2022)

2.Careline Claude

..Respondents

Prayer: This Criminal Revision petition is filed under Section 438 r/w 442 of Cr.P.C, to set aside the order dated 27.02.2026 made in Crl.MP.No.4 of 2026 in C.C.No.558 of 2022, on the file of the learned Mahila Court (Magisterial Level), at Puducherry.

For Petitioners:

Mr.John Satyan, Senior Counsel
Mr.G.Sivakumar

For Respondent:

Mr.M.V.Ramachandramurthy, APP
Assisted by Mr.A.Alexander,
Government Advocate (Crl.Side) for R1

Ms.Gladies Daniel for R2

ORDER

The petitioners has preferred the above revision challenging the



judgment passed by the learned Mahila Court (Magisterial Level), at Puducherry in Crl.MP.No.4 of 2026 in C.C.No.558 of 2022 dated 27.02.2026.

WEB COPY

2. The case of the prosecution is that the petitioners, in furtherance of their common intention, trespassed into the house of the second respondent, abused and assaulted her and her husband with a wooden log, causing simple injuries, and criminally intimidated them. The occurrence is stated to have arisen out of a dispute relating to the adoption and upbringing of minor child. Hence, a case has been registered against the petitioner.

3. The learned Senior counsel appearing for the petitioners contended that the second respondent has no locus standi to file an application under Section 173(8) Cr.P.C. as it is for the investigating agency to decide whether further investigation is required or not. He further submitted that, in the present case, the learned Magistrate, without any basis, has ordered further investigation and has also directed the course of investigation by fixing a time limit for its completion, which is before the Power of the Court.

4. Per contra, the learned counsel appearing for the second respondent strongly opposed the submissions made by the learned Senior counsel for the petitioners and contended that based on the availability of additional materials placed before the learned Judicial Magistrate, further investigation was rightly ordered. He further submitted that the direction issued to the investigating officer to file a supplementary charge sheet within a period of one month was



in view of the earlier direction of this Court to dispose of the case within a period of six months. Therefore, the mere ordering of further investigation and issuance of such directions cannot be termed as illegal or without jurisdiction.

Hence, there is no merit in the present petition.

5. I have given my anxious consideration to the submissions made on either side.

6. While considering the present application, it is seen that the challenge is to the direction issued by the learned Magistrate for further investigation. It was brought to the notice of the Trial Court that certain additional materials, particularly video evidence, were available which accuracy to trial Court necessitated further investigation. The learned Magistrate, taking note of the same, has observed that the video footage would provide a clearer picture regarding the involvement of the accused and would assist the prosecution effectively establish its case. The learned Magistrate has also relied upon the Judgment of the Hon'ble Supreme Court in **Vinubhai Haribhai Malaviya Vs State of Gujarat** reported in **(2019) 17 SCC 1**, and has rightly held that the Magistrate has the power to order further investigation.

7. It is a well settled principle of law that the contours and scope of the criminal revision are limited, and in the absence of a patent defect or palpable error, the question of interference with the order of the learned Magistrate is to be avoided. In the case on hand, the learned Magistrate on the basis of the



availability of additional materials, has thought it fit to order further investigation, which does not suffer from any infirmity. In so far as the contention of the learned Senior Counsel that the direction to file a supplementary charge sheet within a period of one month amounts to interference with the investigation is concerned, this Court is unable to accept the same. As rightly contended by the learned counsel for the second respondent, there is a direction by this Court to dispose of the case within a period of six months. Therefore, the time limit stipulated by the learned Magistrate cannot be found fault with.

8. In view of the above reasons, this Court finds no infirmity or illegality in the order passed by the learned Magistrate warranting interference in exercise of revisional jurisdiction. Accordingly, this Criminal Revision petition stands dismissed.

24-03-2026

DRL

To

1. The Mahila Court (Magisterial Level), at Puducherry.

2. The Station House Officer,
Lawspet Police Station,
Through Asst. Public Prosecutor,
Puducherry.

3. The Public Prosecutor,
Puducherry.



WEB COPY

CRL RC No. 701 of 2



C.KUMARAPPAN, J.

DRL

CRL RC No. 701 of 2026

24-03-2026