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CRL OP No. 8811 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 8811 of 2026

Monica

..Petitioner(s)

Vs

1.State Rep.by,
The Superintendent of Police,
Tiruvannamalai District,
District Police Office,
Vengikkal,
Tiruvannamalai - 606 604.

2.State Rep.by,
The Deputy Superintendent of Police,
Rural Tiruvannamalai,
Tiruvannamalai District.

3.State Rep.by,
Inspector of Police,
All women Police Station,
Rural Tiruvannamalai,
Thandarampattu,
Tiruvannamalai District.

..Respondent(s)

To direct the 3rd Respondent Police to register case by complying the Thandrampattu-Judicial Magistrate's order dated 16.02.2026 in Crl.M.P.No.61 of 2026 based on the complaint of the petitioner and conduct a fair and impartial investigation in accordance with law.

For Petitioner(s): Mr.T.Nimesh Varshan

For Respondent(s): Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor

**ORDER**

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This Criminal Original Petition has been filed seeking a direction to the third respondent Police to register a case in compliance with the order dated 16.02.2026 passed by the Judicial Magistrate, Thandrapattu, in Crl.M.P.No.61 of 2026, based on the complaint of the petitioner and conduct a fair and impartial investigation in accordance with law.

2. The contention of the petitioner is that she was married to one Sivasakthi on 05.12.2024. Due to matrimonial disputes, they separated. It is alleged that her estranged husband had taken away her jewels and other valuables. Hence, she initially lodged a complaint to the third respondent, which was assigned C.S.R.No.295 of 2015. Subsequently, a compromise was arrived between them. Thereafter, the petitioner lodged another complaint, which was assigned CSR.No.678 of 2025. Since the petitioner was pregnant and hospitalised, she could not attend the enquiry. The petitioner submitted representations on 11.12.2025 and 09.01.2026 seeking to file an FIR against her husband and in-laws, however, no action was taken. Aggrieved by the inaction, the petitioner filed a petition under Section 175 (3) BNSS in Crl.MP.No.61 of 2026. By order dated 16.02.2026, the learned Magistrate directed the third respondent Police to conduct preliminary enquiry and if the enquiry disclosed



commission of a cognizable offence, to register an FIR in accordance with law, otherwise, to file a closure report assigning brief reasons. But so far, no report has been filed.

3. The learned Additional Public Prosecutor submitted that, pursuant to the directions of the learned Magistrate, an enquiry was conducted and the matter was closed on 06.04.2026. A closure report was filed before the District Munsif-cum-Judicial Magistrate, on 07.04.2026 and a copy of the report is now handed over to the learned counsel for the petitioner.

4. In reply, the learned counsel for the petitioner submitted that there are medical records and other materials evidencing physical assault, which disclose the commission of a cognizable offence. Despite the availability of such evidence, no action has been taken against the petitioner's estranged husband and his relatives.

5. Considering that, in compliance with the Magistrate's earlier direction, after conducting enquiry, a closure report has already been filed before the concerned Magistrate, this Court is not inclined to issue any further direction to the Police at this stage. It is open to the petitioner to appear before the concerned Magistrate and file a protest petition, raising all her objections to the closure report by producing all relevant materials in support of her case. Upon



such filing, if the learned Magistrate is satisfied that a cognizable offence is made out, appropriate orders shall be passed in accordance with law, including setting aside the closure report and issuing necessary directions to the Police or proceeding with the compliant as per law. The petitioner is directed to appear before the learned Magistrate within a period of two weeks from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is disposed of.

09-04-2026

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



To

1. The Judicial Magistrate, Thandrapattu

2. The Superintendent of Police,
Tiruvannamalai District,
District Police Office,
Vengikkal,
Tiruvannamalai - 606 604.

3. The Deputy Superintendent of Police,
Rural Tiruvannamalai,
Tiruvannamalai District.

4. The Inspector of Police,
All women Police Station,
Rural Tiruvannamalai,
Thandrapattu,
Tiruvannamalai District.

5. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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