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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.19317 of 2026

CNR: {HCMA011299822026}

M.Sathishkumar
S/o. Mohan,
B.Thurinjipatti Post and Village,
Pappireddipatti Taluk,
Dharmapuri District.

..Petitioner(s)

Vs

1. The State Rep. by,
   The Sub Inspector of Police
   Bommidi Police Station,
   Harur Road, Bommidi,
   Dharmapuri District.

2. The State Rep. by,
   The Inspector of Police
   Bommidi Police Station,
   Harur Road, Bommidi,
   Dharmapuri District.

3. M.Preethi
   D/o. Murugadoss,
   Door No.379, Aasiriyar Nagar,
   Tirupattur Town,
   Tirupattur District.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the impugned docket

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order dated 20.04.2026 passed in Crl.MP.SR.No.812 of 2026 in Crl.MP.No.164 of 2025 on the file of the learned Judicial Magistrate at Pappireddipatti and subsequently direct the 1st and 2nd Respondent to register FIR against the 3rd Respondent.

For Petitioner(s): Mr. R.Megha

For Respondent(s): Mr. A Amarnath
Additional Public Prosecutor for R1 & R2

No appearance for R3

ORDER

This petition has been filed challenging the order dated 20.04.2026 passed by the learned Judicial Magistrate, Pappireddipatti in Crl.MP.SR.No.812 of 2026 in Crl.MP.No.164 of 2025, thereby returning the reopen petition filed by the petitioner.

2. The petitioner lodged a complaint alleging that the third respondent had contracted multiple marriages with different persons prior to and during the subsistence of the marriage with the petitioner. Since the second respondent failed to register the complaint, the petitioner filed a petition in Crl.M.P.No.164 of 2025 under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking a direction to register an FIR. By order dated 22.07.2025, the Trial Court directed the second respondent to register an FIR.

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However, the second respondent filed a report stating that the alleged marriage had taken place in Thirupattur District and, therefore, no cause of action had arisen within its jurisdiction. Aggrieved by the same, the petitioner filed a petition to reopen Crl.M.P.No.164 of 2025 and the same was returned by the Trial Court. Challenging the said return, the petitioner has filed the present petition.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. On perusal of the records, it is revealed that the petitioner is residing within the jurisdiction of the second respondent Police Station. The mere fact that the marriage was solemnised at a different place cannot be a ground to refuse to entertain the complaint lodged by the petitioner, particularly when the matrimonial home is situated within the jurisdiction of the second respondent. Though initially the Trial Court had directed the second respondent to register an FIR, upon receipt of the report filed by the second respondent, the Trial Court returned the petition filed by the petitioner. This Court finds that the order passed by the Trial Court suffers from infirmity and is liable to be set aside.

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5. Accordingly, the impugned order dated 20.04.2026 passed by the learned Judicial Magistrate, Pappireddipatti in Crl.MP.SR.No.812 of 2026 in Crl.MP.No.164 of 2025, is hereby set aside. The second respondent is directed to register the FIR against the accused persons and proceed further in accordance with law.

6. With the above directions, the Criminal Original Petition stands allowed.

29.10.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

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To

1. The Judicial Magistrate,
Pappireddipatti.

2. The Sub Inspector of Police
Bommidi Police Station,
Harur Road, Bommidi,
Dharmapuri District.

3. The Inspector of Police
Bommidi Police Station,
Harur Road, Bommidi,
Dharmapuri District.

4. The Public Prosecutor,
Madras High Court, Chennai.

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G.K.ILANTHIRAIYAN. J,

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