



WEB COPY



Crl.R.C. No. 286 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2026

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C. No. 286 of 2026

Rani

..Petitioner

Vs.

1. The State rep. by the
Station House Officer,
Villianur Police Station,
Pondicherry.

2. Thirunavukkarasu

3. Namadevan @ Ramu

4. Rajendiran

5. Hariharan

..Respondents

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS to call for the records relating to Crl.M.P. No. 679 of 2025 on the file of the learned Judicial Magistrate VI, Puducherry and set aside the order dated 28.03.2025 and direct the 1st respondent to register the case on the basis of the complaint lodged by the petitioner on 28.01.2025.



WEB COPY



Crl.R.C. No. 286 of 2026

For Petitioner ::Mr.S. Sathish

For Respondents ::Mr.M.V.Ramachandra Murthy,
Public Prosecutor (Pondicherry)

ORDER

The revision challenges the dismissal of the petitioner's application under Section 175(3) of BNSS.

2. The case of the petitioner is that she is the younger sister of the proposed accused 1 and 2; the elder sister of proposed accused No.3 and aunt of proposed accused No.4; that there is a property dispute between her and the proposed accused; that on 22.12.2024, the proposed accused forcibly entered her house, abused her and physically assaulted her; that she sustained serious injuries and was admitted in a hospital and hence, the proposed accused are liable for the offences under Sections 76, 79, 296(b), 118(1), 329(4) and 351(3) of BNS, 2023. Since the 1st respondent did not take any action on her complaint, the petitioner had preferred the petition under Section 175(3) of BNSS, which came to be dismissed by the impugned order.



Crl.R.C. No. 286 of 2026

WEB COPY

3. Learned counsel for the petitioner would submit that the allegations constitute a cognizable offence and the delay in lodging the complaint alone cannot be the basis for rejecting the prayer for registration of FIR; that the impugned order of the learned Magistrate cannot be sustained as the learned Magistrate had conducted a mini trial while dismissing the petition and the order of the learned Magistrate is contrary to the settled position of law.

4. Learned Public Prosecutor (Pondicherry) would submit that on the complaint given by one of the proposed accused, a case in Crime No. 387 of 2024 was registered against the petitioner's son for the offences under Sections 296(b), 118(1), 351(3) r/w 3(5) of BNS, 2023 on 22.12.2024; that the petitioner had not lodged any complaint immediately after the occurrence; that the petitioner was only treated as an out-patient with no external injuries; that the instant complaint is an after-thought, and is a counter-blast to the complaint lodged by the proposed accused and hence, submitted that the impugned order is justified.



Crl.R.C. No. 286 of 2026

5. Though the petitioner claims that she had lodged a complaint with the Police, it is seen from the typed set of papers that she had sent a registered post to the Inspector of Police on 28.01.2025, nearly thirty six days after the alleged occurrence. Admittedly, the petitioner had taken treatment only as an out-patient and there was no reason for not lodging a complaint immediately after the occurrence. A complaint had been lodged by the proposed accused against her son resulting in registration of FIR against her son. The learned Magistrate had taken into consideration all the facts and had come to the conclusion that the ingredients of the alleged offences were not made out and dismissed the petition. This Court finds no infirmity in the said order passed by the learned Magistrate as it is seen that the complaint filed by the petitioner is an after-thought. Hence, the revision stands dismissed. However, the petitioner is at liberty to seek any other remedy available in law.

11.02.2026

Neutral Citation: Yes/No

nv/dk



Crl.R.C. No. 286 of 2026

WEB COPY

- To
1. The Judicial Magistrate VI,
Puducherry.
 2. The Station House Officer,
Villianur Police Station,
Pondicherry.
 3. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.R.C. No. 286 of 2026

SUNDER MOHAN,J.

nv/dk

Crl.R.C. No. 286 of 2026

11.02.2026