



Crl.OP(MD)No.797 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2026

CORAM

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD).No.797 of 2026

P.Sekar @ Gunasekaran

...Petitioner

Vs.

- 1.The State of Tamil Nadu,
The Superintendent of Police,
Dindigul District, Dindigul.
- 2.The Deputy Superintendent of Police,
District Crime Branch (ALGSC),
Dindigul District.
- 3.The Inspector of Police,
District Crime Branch (ALGSC),
Dindigul District.
- 4.Karuppayee Ammal
- 5.Palaniyammal
- 6.Tamilarasi
- 7.Ganesan @ Thoppi Ganesan
- 8.P.Jothi

... Respondents



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Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the third respondent to comply the order of the learned Judicial Magistrate No.II, Dindigul, in Cr.M.P.No.1095 of 2025 dated 10.09.2025 by way of filing FIR against the respondents 4 to 8.

For Petitioner : Mr.N.Marivel

For R1 to R3 : Mr.M.Sakthikumar
Government Advocate (Crl.side)

ORDER

Seeking to direct the third respondent Police to comply the order passed by the learned Judicial Magistrate No.II, Dindigul, in Cr.M.P.No.1095 of 2025 dated 10.09.2025, this criminal original petition is filed.

2.Considering that no adverse order is likely to be passed against the respondents 4 to 8, notice to them is dispensed with.



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3.A careful reading of the order dated 10.09.2025 passed by the learned Judicial Magistrate No.II, Dindigul, would reveal that the petitioner has filed an application under Section 156 (3) of the Code of Criminal Procedure, in which, the learned Judicial Magistrate had directed the Inspector of Police, District Crime Branch(ALGSC), Dindigul, to conduct a preliminary enquiry to ascertain as to whether the information furnished in the compliant by the petitioner reveals any cognizable offence and in case the complaint discloses the commission of cognizable offence, register the first information report and in the absence of the same, file a report by giving notice to the de facto complainant. In this regard, the learned Government Advocate (Crl.side), on instructions, submitted that preliminary enquiry was properly conducted and it was concluded that no cognizable offence has been made out, following which, a report has already been filed by the third respondent Police before the learned Judicial Magistrate on 09.12.2025. The learned Judicial Magistrate on receipt of the same has taken the complaint of the petitioner as a private complaint.



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3. Recording the submission made by the learned Government Advocate (crl.side), the petitioner is advised to proceed with the private complaint. Accordingly, this Criminal Original Petition is disposed of.

19.01.2026

NCC : Yes / No
Index : Yes / No
Rmk

To

1. The Superintendent of Police,
Dindigul District, Dindigul.
2. The Deputy Superintendent of Police,
District Crime Branch (ALGSC),
Dindigul District.
3. The Inspector of Police,
District Crime Branch (ALGSC),
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Rmk

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