



Crl.O.P(MD)No.903 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.903 of 2026

PL.Subramanian

... Petitioner/ Defacto Complainant

Vs.

The State of Tamil Nadu,
Rep.by its The Inspector of Police,
Keelasivalpatti Police Station,
Sivagangai District.
(Crime No.120/2025)

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondent to expedite the investigation in connection with the case in Cr.No.120 of 2025 on the file of the respondent police and file a final report within a stipulated period as framed this Court.

For Petitioner : Mr.P.Aju Tagore

For Respondent : Mr.B.Thanga aravindh
Government Advocate(Crl.Side)



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ORDER

Preface:

The advent of the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023, and the Bharatiya Sakshya Adhiniyam, 2023 marks a constitutional transformation in India's criminal jurisprudence. For the first time since Independence, the criminal process has been consciously re-engineered to be victim-centric, citizen-responsive and justice-oriented, in contrast to the colonial enactments which were historically designed to subserve the interests of an imperial administration and to control its subjects.

2. The new Codes emphasise timeliness, transparency, accountability, and proportionality, recognising delay as a denial of justice. In particular, the BNSS, 2023, by codifying strict timelines for investigation in Section 193, ensures that the investigating agency cannot indefinitely keep the sword of uncertainty hanging over the head of an accused or allow victims to languish without closure. It is in this mandate of constitutional justice that the present petition deserves to be examined.



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3. Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to direct the respondent to expedite the investigation in connection with the case in Cr.No.120 of 2025 on the file of the respondent police and file a final report within a stipulated period as framed this Court.

Submissions:

4. The learned counsel for the petitioner submits that though the FIR was registered on 19.11.2025, no final report has been filed till date. Such delay is contrary to the statutory mandate under Section 193 BNSS, which prescribes time-bound investigation. It is therefore prayed that necessary directions be issued.

5. The learned Government Advocate (Crl.Side) submitted that the investigation is in progress and the investigating officer shall abide by any timeline fixed by this Court.



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6. Heard the learned counsels on either side and carefully perused the materials available on record.

Analysis:

7. The BNSS has introduced a strict regime of time-bound investigation, which reads as follows:

(i) Section 193(1) BNSS mandates that every investigation under this Sanhita shall be completed without unnecessary delay. (ii) Section 193(2) BNSS mandates that in relation to offences punishable with imprisonment of seven years or more, the investigation shall ordinarily be completed within ninety days; and in all other offences, within sixty days. (iii) Section 193(3) BNSS, mandates that if the investigation is not completed within the period prescribed, the investigating officer shall record the reasons in writing and intimate the Magistrate of such delay.

8. The statute therefore creates (i) a positive duty to complete investigation promptly; (ii) outer time limits; and (iii) a compulsory



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accountability mechanism for delay. These provisions are mandatory in nature and bind the investigating agency.

9. With regard to the misappropriation of temple property, the petitioner had given a complaint to the respondent police on 06.10.2025. Since no action was taken by the respondent police, the petitioner filed Crl.M.P.No.231 of 2025 before the learned Judicial Magistrate, Thiruppathur seeking direction to the respondent to register the FIR based on the petitioner's complaint dated 06.10.2025 and the same was ordered. Pursuant to the same FIR dated 19.11.2025 has been registered by the respondent police for the offences under Sections 296(b), 318(4), 336(2) and 336(3) of BNS, 2023 on the file of the respondent police. This Court notes that the FIR in the present case was registered on 19.11.2025 and the investigation has not culminated in a final report even after the lapse of the period contemplated under Section 193(2) BNSS. No material is placed before this Court to show that the reasons for delay were recorded in writing or that the same was



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intimated to the jurisdictional Magistrate as required under Section 193(3) BNSS.

10. Such unexplained delay defeats the very purpose of the reformed statutory architecture, which mandates expeditious investigation so that the criminal process becomes an instrument of justice rather than a prolonged ordeal.

11. Accordingly, this Court is inclined to issue appropriate directions.

12. In the light of the above statutory mandate and taking into account the facts and submissions, the following directions are issued:

(i) The respondent police is directed to complete the investigation in Crime No.120 of 2025 and file a final report before the jurisdictional Court within a period of six (6) months from the date of receipt of a copy of this order.



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(ii) If for any legally acceptable reason the investigation cannot be completed within the above period, the investigating officer shall strictly comply with Section 193(3) BNSS by recording reasons in writing and placing the same before the jurisdictional Magistrate without fail.

(iii) The petitioner is at liberty to work out his remedies in accordance with law if the above directions are not complied with.

Epilogue:

13. The BNSS, 2023 embodies a shift from a punitive colonial framework to a justice-centric democratic framework. Timely investigation is the first guarantee of fairness to both victim and accused. This Court expects diligent adherence to statutory timelines by the investigating agency.

14. Accordingly, this Criminal Original Petition is disposed of with the above directions.

20.01.2026

NCC : Yes / No
Index : Yes / No



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Internet : Yes/ No
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To

- 1.The Inspector of Police,
Keelasivalpatti Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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