



Crl.O.P.(MD)No.1131 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.01.2026**

CORAM:

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

Crl.O.P.(MD)No.1131 of 2026

Suganthini

... Petitioner

Vs.

1. State Rep. by
The Inspector of Police,
Q Branch CID Police Station,
Trichy District.
Crime No.01 of 2023

2.Sivakumar

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to issue a direction to the respondent no. 1 to complete the investigation in Crime No. 1 of 2023 on the file of the respondent no. 1 Police Station and filed the charge sheet before the learned Judicial Magistrate Court, Trichy.

For Petitioner : Mr.K.Sakthivel

For Respondents : Mr.M.Sakthi Kumar (R1)

Government Advocate (Crl.)



Crl.O.P.(MD)No.1131 of 2026

ORDER

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Preface:

The advent of the Bharatiya Nyaya Sanhita, 2023 (BNS), the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), 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.



Crl.O.P.(MD)No.1131 of 2026

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3. This Criminal Original Petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking a direction to the respondent police to file a final report with respect to Crime No.01 of 2023.

Submissions:

4. The learned counsel for the petitioner submits that though the FIR was registered on 28.12.2023, 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 (Criminal Side) submits that the present case is being investigated by the Q Branch, CID, relating to forgery and the creation of fraudulent passports by certain Sri Lankan refugees, in which 24 persons have been arrayed as accused. Out of them, 23 persons have already been arrested. It is further submitted that as many as 1,000 documents have been collected by the investigating officer and that the authorities are awaiting the necessary documents from the Passport Officer. In these circumstances, reasonable time may be granted to the respondents to conclude the



Crl.O.P.(MD)No.1131 of 2026

investigation. He further submits that the investigation is in progress and the investigating officer shall abide by any timeline fixed by this Court.

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



CrI.O.P.(MD)No.1131 of 2026

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

9. This Court notes that the FIR in the present case was registered on 28.12.2023 and the investigation has not culminated in a final report even after the lapse of the period as 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 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.01 of 2023 and file a final report before the jurisdictional Court



CrI.O.P.(MD)No.1131 of 2026

within a period of six (6) months from the date of receipt of a copy of this order.

(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 her remedies in accordance with law, if the above directions are not complied with.

Epilogue:

14. 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.

15. The Criminal Original Petition is accordingly disposed of with the above directions.

22.01.2026

NCC : Yes / No
Index : Yes / No



Crl.O.P.(MD)No.1131 of 2026

WEB COPY **TO:-**

1. The Inspector of Police,
Q Branch CID Police Station,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)No.1131 of 2026

L.VICTORIA GOWRI, J.

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Order made in
CrI.O.P.(MD)No.1131 of 2026

Dated
22.01.2026