



CrI.O.P.(MD)No.2027 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.02.2026**

CORAM:

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

CrI.O.P.(MD)No.2027 of 2026

A.Rahima Banu

... Petitioner

Vs.

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Deputy Superintendent of Police,
Kovilpatti Division,
Kovilpatti.
- 3.The Inspector of Police,
All Women Police Station,
Kovilpatti.
(Ref: CSR No.704 of 2025)

4.A.Syed Muhammad Zavid

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023, to direct the 3rd Respondent to take appropriate action on the petitioner's representation/complainant dated 09.12.2025 and consequently, direct the 3rd Respondent to conduct proper enquiry and to return the 13 ³/₄ sovereign gold jewelries and household articles worth Rs.1,00,000/- from the 4th Respondent to the petitioner and further to provide necessary police protection to the petitioner and her minor child.



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For Petitioner : Mr.S.Boominathan

For Respondents : Mr.M.Sakthi Kumar

Government Advocate (Crl.Side) for R1 to R3

ORDER

This Criminal Original Petition has been filed seeking a direction to take appropriate action on the petitioner's representation/complainant dated 09.12.2025 and consequently, direct the 3rd Respondent to conduct proper enquiry and to return 13 $\frac{3}{4}$ sovereign of gold jewels and household articles worth about Rs.1,00,000/- from the 4th Respondent to the petitioner and further to provide necessary police protection to the petitioner and her minor child.

2. The learned counsel for the petitioner submitted that the petitioner lodged a complaint against her husband, who is the fourth respondent herein. Considering the limited scope of the representation made by the petitioner herein, notice to the fourth respondent is dispensed with. The petitioner has already lodged a complaint on 09.09.2025 and the same has been assigned by the third respondent police in CSR.No.704 of 2025. However, there is no progress in the investigation. Hence, this petition.



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3. The learned Government Advocate (CrI.Side) submitted that despite the profound interest shown by the fourth respondent to reunite with his wife, the petitioner had declined to go with him. He placed the statement given by the petitioner before the 2nd respondent police wherein she had categorically contended that the 4th respondent is unemployed and he is not even providing the petitioner and her child with the bare minimum; food and accommodation and hence, she is not willing to go with her husband and sought for recovery of her dowry, home appliances and jewellery and other movables belonging to her from her shared matrimonial home. However, with certainty, she disclosed that she is not willing to live with her husband and that she will seek appropriate remedy before the appropriate forum on the basis of the asset statement. Based on that, the complaint was closed by the 2nd respondent police.

4. The learned counsel for the petitioner contradicted the same, saying that only on the assurance given by the 4th respondent in writing that he will return all the movables and other belongings to the petitioner, she was constrained to give such a statement before the 2nd respondent police.



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5. The learned Government Advocate (Crl.Side) placed that statement given by the fourth respondent in written before this Court, which do not reflect the petitioner's submission. Hence, I don't find any merit in this petition to direct the third respondent to conduct proper inquiry with respect to her return of jewelry.

6. Accordingly, the Criminal Original Petition stands dismissed. It is made clear that the petitioner is at liberty to file a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005, seeking return of jewelry and other assets including other reliefs, if so advised.

02.02.2026

NCC : Yes / No
Index : Yes / No
dss



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TO:-

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Thoothukudi.
- 2.The Deputy Superintendent of Police,
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Kovilpatti.
- 3.The Inspector of Police,
All Women Police Station,
Kovilpatti.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

dss

Order made in
CrI.O.P.(MD)No.2027 of 2026

Dated
02.02.2026