



Crl.OP(MD)No.1855 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).Nos.1855 of 2026

Janaki Pandian

... Petitioner/ *Defacto*

Complainant

Vs.

1. The State of Tamil Nadu,
Rep.by The Commissioner of Police,
Madurai,
Madurai District.

2. The State of Tamil Nadu,
Rep.by The Inspector of Police,
Talakulam Police Station,
Madurai.
(Crime No.635/2019)

.... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the 1st Respondent to transfer the Investigation in Crime No.635 of 2019 dated 18.04.2019 on the file of the 2nd respondent or any other superior Officer which include DSP.

For Petitioner : M/s.Chamundi Bose

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)



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ORDER

Preface:

This Criminal Original Petition has been filed at the instance of the de facto complainant seeking transfer of investigation in Crime No.635 of 2019 from the file of the second respondent to any other competent and superior investigating officer.

2. The grievance of the petitioner is not merely that the stolen property has not been recovered, but that the investigation has culminated in an “undetected” closure without any meaningful progress, despite the lapse of several years and despite the larger concerns repeatedly noticed by this Court in similar matters involving theft and robbery of jewels from women devotees during festival gatherings.

3. The present petition, though styled as one seeking transfer of investigation, raises a larger issue touching upon the duty of the police machinery to ensure effective investigation in cases affecting personal safety and dignity of women in crowded public spaces. A complaint relating to snatching of a Mangal Sutra cannot be treated



as an ordinary property dispute in the abstract. In the social context of this State, the Thali or Mangal Sutra is not merely an ornament of monetary value; it carries immense emotional, cultural and marital significance. Therefore, the failure to investigate such an occurrence with the seriousness it deserves causes injury far beyond pecuniary loss.

Case of the Prosecution:

4. The case of the petitioner is that on 18.04.2019, she lodged a complaint before the second respondent police alleging robbery of her Mangal Sutra weighing about 12.5 sovereigns. Based on the said complaint, the second respondent registered a First Information Report in Crime No.635 of 2019.

5. According to the petitioner, notwithstanding repeated approaches made by her to the respondent police over the years, neither was the offender traced nor was the stolen jewellery recovered. It is her further case that only on 10.12.2025, she was served with a notice in R.C.S.No.134 of 2025 informing her that the case had been closed as “undetected”.



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6. The petitioner would state that such closure was effected without any meaningful result and without affording her the sense of justice that a victim of crime is entitled to expect from the criminal justice system. She would further place reliance on the order of this Court in Crl.O.P.(MD)No.10290 of 2025 etc., dated 25.11.2025, wherein several systemic directions were issued in respect of undetected theft and robbery cases, including payment of compensation, maintenance of registers of undetected cases, periodic review, refresher training for investigating officers, and the possibility of setting up Special Investigation Teams in each District to deal with long-pending undetected cases.

Grounds for Transfer of Investigation:

7. The principal grounds on which the present petition is founded are as follows:

7.1. The crime was registered as early as on 18.04.2019 and, even after the passage of more than six years, the investigation has not yielded any recovery or identification of the culprit.



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7.2. The notice informing closure of the case as “undetected” was served on the petitioner only in December 2025, thereby demonstrating prolonged inaction and absence of effective victim communication.

7.3. The offence occurred in a crowded public setting during the Chithirai festival in Madurai, which is an event known in advance to the police and which requires heightened preventive and investigative measures.

7.4. In the order dated 25.11.2025 passed by this Court in connected matters, this Court had already taken note of the recurring problem of undetected property offences and had directed the State to consider constituting Special Investigation Teams for cases remaining undetected for more than five years.

7.5. The petitioner therefore contends that continuation of investigation by the same local police station, which has already failed to make progress for several years, would serve no useful



purpose, and that the interests of justice require entrustment of further investigation to a competent special team or superior officer.

Submissions on either side:

8. The learned counsel appearing for the petitioner submitted that the petitioner is a victim of robbery who has been pursuing the matter from the year 2019 onwards. Despite her persistent efforts, the respondent police did not recover the stolen chain or identify the offender. It was argued that the intimation regarding closure as “undetected” is a manifestation of investigative failure.

9. The learned counsel further submitted that this Court, in its earlier order dated 25.11.2025 in Crl.O.P.(MD)No.10290 of 2025 etc., has already recognized the serious deficiencies in the handling of undetected theft and robbery cases and has issued comprehensive directions to the State, including the constitution of specialized teams to handle such cases. Placing strong reliance on the said order, the learned counsel urged that the present case squarely falls within the category of cases which deserve reinvestigation or further investigation by a specialized team.



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10. It was also contended that the offence in question occurred during Chithirai Thiruvizha, when large numbers of devotees, especially women, participate in religious processions and congregations. If the local police, despite anticipating such crowds, could not prevent such offences or effectively investigate them thereafter, the matter requires scrutiny by a more specialized agency. On these submissions, the learned counsel prayed that this Court may direct constitution or activation of a Special Investigation Team and transfer the investigation accordingly.

11. Per contra, the learned Government Advocate (Crl. Side) submitted that the investigation had been carried out and, despite earnest efforts, the offender could not be identified. It was contended that the occurrence had taken place in an extraordinarily crowded area during Chithirai Thiruvizha, when thousands of devotees gather in Madurai city, making identification of offenders difficult even with the aid of CCTV footage.

12. The learned Government Advocate would further submit that the inability to trace the offender cannot, by itself, automatically



lead to an adverse inference against the investigating agency. According to him, the practical difficulties in crowd-related offences are substantial, and the local police had done what was possible under the circumstances.

13. However, he fairly submitted that appropriate orders may be passed by this Court in the light of the earlier directions issued in similar matters.

Point for Consideration:

14. In the light of the rival submissions and the materials available on record, the following point arises for consideration whether, in the facts and circumstances of the case, this Court should direct transfer of investigation in Crime No.635 of 2019 to a Special Investigation Team or any superior officer for effective further investigation, and if so, what consequential directions are required to secure justice to the petitioner and to strengthen preventive policing during the ensuing Chithirai festival?



Analysis:

15. This Court has carefully considered the submissions made on either side and perused the materials available on record.

16. It is not in dispute that the petitioner's complaint was registered on 18.04.2019 and that the case has remained unresolved for more than six years. It is also not in dispute that the petitioner was informed only in December 2025 that the case was being treated as "undetected". Such delay, both in investigation and in communication, cannot be lightly brushed aside.

17. An "undetected" classification may be an administrative description of the then status of investigation, but it does not amount to termination of the police duty to investigate. Crime does not become less real merely because the offender is not immediately identified. On the contrary, long-pending undetected crimes require a more structured review, scientific reassessment, and inter-unit coordination. This is all the more so where the victim is a woman who has suffered robbery of her Mangal Sutra in a public space.



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18. The explanation offered by the respondents that the occurrence took place during Chithirai Thiruvizha and that thousands of devotees were present may explain the complexity of the investigation, but it cannot justify the absence of an effective long-term strategy. Chithirai festival is not an unforeseen occurrence. It is an annual and celebrated event drawing huge congregations. The police administration is fully aware, well in advance, of the law and order, traffic, safety, and crime-prevention challenges associated with the festival. If such a known large-scale event creates opportunities for chain snatching, robbery, and offences against women, then it is incumbent upon the police to deploy preventive squads, surveillance units, plain-clothes personnel, mobile teams, and post-occurrence analytical units.

19. This Court is of the considered view that the safety of women devotees in public religious gatherings is a matter of constitutional significance touching upon dignity, freedom of movement, and security of person. A failure to provide an effective policing environment in such events erodes public confidence in law enforcement. Equally, failure to seriously revisit undetected cases



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sends a disheartening message to victims that once an offender disappears into a crowd, the system has little more to offer.

20. This Court had already, in the order dated 25.11.2025 in Crl.O.P.(MD)No.10290 of 2025 etc., issued systemic directions to the State regarding undetected cases. One of the observations made therein was that the State may consider setting up Special Investigation Teams of experienced officers in each District to investigate cases remaining undetected for more than five years. The present case falls squarely within that category. Therefore, the petitioner is justified in requesting that the benefit of such specialized attention be extended to her case as well.

21. At the same time, this Court does not find it necessary to transfer the investigation to an entirely different district unit or an outside agency. The ends of justice would be sufficiently met if the already constituted or proposed specialized team at the district/city level, under the supervision of a superior officer not below the rank of Deputy Superintendent of Police / Assistant Commissioner of Police, is directed to take over and conduct further investigation.



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22. Such a course balances two concerns: first, it avoids unnecessary dislocation of records and local intelligence; second, it ensures that the matter is no longer left to the same routine investigative framework which has not produced results for years.

23. This Court is also of the opinion that the present case cannot be viewed in isolation from the imminent Chithirai Thiruvizha. The recurrence of offences such as chain snatching and robbery during festival crowds calls for preventive as well as curative measures. It is therefore necessary to issue broader directions to the first respondent so that the petitioner's grievance becomes an occasion for institutional correction and not merely an individual order

24. Accordingly, this Court answers the point for consideration in favour of the petitioner to the extent that further investigation in Crime No.635 of 2019 deserves to be entrusted to a specialized team under superior supervision. The criminal justice system must remain alive to the anxieties of victims whose grievances do not end with registration of an FIR. A woman who loses her Mangal Sutra to a



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robber in a crowded public festival loses not only an item of value but also a sense of safety and dignity. The State, which invites and regulates such vast public congregations, bears a corresponding obligation to protect those who participate in them. Where the crime remains undetected for years, the least that the law owes the victim is honest communication, meaningful review, and renewed investigative effort.

25. This case serves as a reminder that public festivals must be occasions of devotion and joy, not opportunities for predatory crime. The police administration must therefore combine vigilance, preparedness, and accountability so that faith in the rule of law remains as strong as faith in the festival itself.

26. In the result, this Criminal Original Petition is disposed of with the following directions:

26.1. The first respondent / Commissioner of Police, Madurai City, shall ensure that Crime No.635 of 2019 on the file of the second respondent is taken up for further investigation by the already



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constituted Special Investigation Team dealing with long-pending undetected cases, or, if such team is not operational, by a special team to be constituted for this purpose, under the supervision of an officer not below the rank of Deputy Superintendent of Police / Assistant Commissioner of Police.

26.2. The said team shall re-examine the entire case diary, complaint, witness statements, available CCTV footage, crime pattern records, known offender databases, property-offender linkage, mobile tower details if available, and any other forensic or technological inputs that may assist in tracing the offender and recovery of the stolen property.

26.3. The first respondent shall ensure that the petitioner is informed in writing about the name and designation of the supervisory officer and the police station / unit to which the matter stands reassigned.

26.4. The specialized team shall conduct the further investigation effectively and file an appropriate final report / progress



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report in accordance with law, as expeditiously as possible, preferably within a period of four (4) months from the date of receipt of a copy of this order.

27. The first respondent shall also ensure strict compliance with the directions issued by this Court in Crl.O.P.(MD)No.10290 of 2025 etc., dated 25.11.2025, particularly with regard to:

- a) intimation to complainants before filing undetected reports;
- b) maintenance and review of undetected case registers;
- c) periodic supervisory review of long-pending undetected cases; and
- d) victim communication and follow-up.

28. Since Chithirai Thiruvizha is approaching, the first respondent is directed to formulate and implement a festival-specific anti-snatching and anti-robbery policing plan for Madurai City, which shall include:

- a) deployment of adequate uniformed and plain-clothes personnel in vulnerable congregation zones;



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- b) installation and monitoring of high-resolution CCTV coverage at key congregation points and procession routes;
- c) constitution of rapid response teams for offences against women and senior citizens;
- d) intensified surveillance over known chain-snatching and theft offenders;
- e) announcement and awareness measures for public safety, especially for women devotees; and
- f) post-festival review of all reported theft and robbery incidents for pattern analysis.

29. The first respondent shall further issue necessary instructions to all officers concerned that offences occurring during major festivals and mass gatherings shall not be mechanically closed as “undetected” without periodic review by superior officers.

30. Liberty is granted to the petitioner to work out her remedy for compensation, if so advised, in the manner known to law and in the light of the directions already issued by this Court in the earlier batch of cases referred to above.



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31. With the above directions, this Criminal Original Petition stands disposed of. No costs.

02.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To

1. The Commissioner of Police,
Madurai,
Madurai District.
2. The Inspector of Police,
Talakulam Police Station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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