



CrI.O.P.(MD)No.3961 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **24.02.2026**

CORAM:

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

CrI.O.P.(MD)No.3961 of 2026

Janaki

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by the Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli District.
Crime No.15 of 2018

... Respondent

PRAYER : Petition filed under Section 528 of BNSS, 2023 to set aside the order passed by the Learned Judicial Magistrate, Nanguneri in R.C.S. No. 1091 of 2023, dt. 16.12.2025 and consequent direction may be issued directing any other Station House Office to further investigate the Crime No. 15 of 2018 to file a final report.

For Petitioner : Mr.T.A.Ebenezer

For Respondent : Mr.S.Ravi

Additional Public Prosecutor



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ORDER

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The petitioner seeks to set aside the order passed by the learned Judicial Magistrate, Nanguneri in R.C.S. No. 1091 of 2023, dated 16.12.2025 with a consequential direction to any other Station House Officer to further investigate the case in Crime No. 15 of 2018 to file a final report.

2. The petitioner is the complainant. She lodged a complaint alleging that, while she was at her tea shop and her husband was out of station purchasing goods for the shop, two unidentified persons committed chain snatching, as a result of which she lost a 3½ sovereign thali chain. On receipt of the said complaint, the respondent registered a FIR in Crime No.15 of 2018 for the offence under Section 379 of IPC. After investigation, the FIR was closed as un-deducted one and filed referred charge sheet notice. It was recorded by the learned Judicial Magistrate and the FIR was closed. Challenging the same, the present petition has been filed.

3. The learned counsel appearing for the petitioner would submit that whenever the report recording the closure of FIR as undeducted can be challenged before this Court, as held by this Court in the judgment reported in **2017 (2) CTC 241** in the case of **Chinnathambi Vs. State** by an order dated



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23.02.2017.

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4. In view of the above judgment, the impugned referred charge sheet cannot be sustained and liable to be quashed. The referred Charge Sheet No. 1091 of 2023 dated 16.12.2025 is hereby quashed. The first respondent is directed to conduct further investigation in Crime No.15 of 2018 and proceed in accordance with law.

5. Accordingly, the Criminal Original Petition stands allowed.

24.02.2026

NCC : Yes / No
Index : Yes / No
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TO:-

1. The Inspector of Police,
Moolakaraipatty Police Station,
Tirunelveli 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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Order made in
CrI.O.P.(MD)No.3961 of 2026

Dated
24.02.2026