



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12/02/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.2941 of 2026

Devi

... Petitioner

Vs

1. The State of Tamilnadu Rep By,
The Superintendent of Police,
Theni District, Theni.

2. The State of Tamilnadu Rep By,
The Deputy Superintendent of Police,
Uthamapalayam,
Theni District.

3. The State of Tamilnadu Rep By,
The Inspector of Police,
Cumbum South Police Station,
Theni District.

4. Muthukrishnan

5. Lingaraj

... Respondents



PRAYER :-

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To call for records of the impugned closure report dated 18.01.2026 passed by the 3rd respondent police and set aside the same and consequently direct him to register an FIR and conduct proper investigation against the Respondents 4 and 5 and thus render justice.

For Petitioner : Mr.R. Murugappan,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the impugned closure report dated 18.01.2026 passed by the 3rd respondent police and set aside the same and consequently, direct him to register an FIR and conduct proper investigation against the respondents 4 and 5.

2. The learned counsel for the petitioner submitted that the petitioner is a homeless woman belonging to the Scheduled Caste community who was thrown to the streets by the act of the 4th and 5th respondent. The government has assigned her with the land in which she had put up a thatched shed for her livelihood. However, at the



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instance of the 4th and 5th respondents, the thatched shed was torn apart and thrown into the street. Following which, she had filed a civil suit in OS.No.98 of 2017, on the file of District Munsif Court, Uthamapalayam, which was decreed in favour of the petitioner on 13.08.2021. Even thereafter, in this regard, she had also lodged a complaint before the third respondent for taking appropriate criminal action against the 4th and 5th respondent. However, no action was taken with respect to the petitioner's complaint dated 06.11.2025, she had filed a petition in Crl.OP(MD)No. 20644 of 2025 before this Court and on 19.11.2025, when the matter came up for hearing, the learned Additional Public Prosecutor on instructions from the third respondent police submitted that already the complaint was enquired and closed as 'civil dispute'. Recording the same, this Court had disposed of the said criminal original petition giving liberty to the petitioner to challenge the closure report in the manner known to law. Only thereafter, the closure report was served upon the petitioner and hence, this petition.

3.The learned Government Advocate (Crl.Side) submitted that this Court has clearly directed the petitioner to challenge the closure report in



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the manner known to law, and the only legal way which is available for the petitioner is to file a private complaint, and the civil dispute decreed in favour of the petitioner is nothing but an *ex parte* decree.

4. In this regard, the relevant information is available on record. Since no FIR has been registered so far, the only way for the petitioner is to file a private complaint before the appropriate jurisdictional magistrate.

5. Considering the same, giving liberty to the petitioner to file a private complaint before the concerned jurisdictional Magistrate, this Criminal Original Petition is disposed of.

12.02.2026

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

dss



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To

1. The Superintendent of Police,
Theni District, Theni.
2. The Deputy Superintendent of Police,
Uthamapalayam,
Theni District.
3. The Inspector of Police,
Cumbum South Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI,J

dss

ORDER
IN
CRL OP(MD) No.2941 of 2026

Date : 12/02/2026