



CrI.O.P.(MD)No.5575 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **25.02.2026**

CORAM:

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

CrI.O.P.(MD)No.4016 of 2026

Thanisha ... Petitioner/Defacto Complainant

Vs.

1. The State of Tamilnadu Rep by,
The Inspector of Police,
Eraniel Police Station,
Kanniyakumari District.
(Crime No.38 of 2025)

... Respondent/Complainant

PRAYER : Petition filed under Section 528 of BNSS, 2023 to direct the Respondent to conduct a fair investigation and to file a final report in Crime No.38 of 2025 on the file of the Respondent Police as contemplated under Section 173 of BNSS, 2023 within a stipulated time fixed by this Court.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.N.Thanga Aravindh

Government Advocate (CrI.Side)

ORDER

This petition has been filed to direct the respondent to conduct a fair investigation and to file a final report in Crime No.38 of 2025 on the file of the Respondent Police as contemplated under Section 173 of BNSS, 2023 within a stipulated time fixed by this Court.



Crl.O.P.(MD)No.5575 of 2024

2. When the matter is taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent police would submit that after completion of investigation, the final report has been filed as 'mistake of fact' before the learned Judicial Magistrate, Eraniel.

3. The learned counsel for the petitioner submitted that RCS notice yet to be served to the petitioner/defacto complainant.

4. In view of the same, this Criminal Original Petition is closed. The respondent police is directed to serve RCS notice to the petitioner/complainant and the petitioner is at liberty to challenge the final report, by filing a protest petition if so advised. If the protest petition is filed, the same shall be disposed of by the learned Judicial Magistrate, Eraniel, within a period of 4 weeks from the date of filing of the protest petition.

25.02.2026

NCC : Yes / No
Index : Yes / No
dss



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Crl.O.P.(MD)No.5575 of 2024

TO:-

1. The Judicial Magistrate,
Eraniel.
2. The Inspector of Police,
Eraniel Police Station,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)No.5575 of 2024

L.VICTORIA GOWRI, J.

dss

Order made in
CrI.O.P.(MD)No.4016 of 2026

Dated
25.02.2026