



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5619 of 2026

Rajakumari

...Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. State of Tamilnadu,
Rep by Inspector of Police,
Awps-Kanyakumari,
Kanniyakumari District.
(Crime No.3 of 2026)

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to direct the respondents to further investigate the case and to file altered FIR by including appropriate charges in Crime No.3 of 2026 on the file of the 2nd respondent police, by this Court.

For Petitioner

: M/s.R.A.Senthil Kumar

For Respondents

: Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



ORDER

The present petition has been filed by the defacto complainant in crime No.3 of 2026 seeking a direction to the respondents police to further investigate the case and to file altered FIR by including appropriate charges in crime No.3 of 2026.

2. The petitioner's daughter, who is a minor is missing from 19.01.2026 onwards. Therefore, the petitioner has lodged a complaint on 20.01.2026 alleging that she might have been abducted by one Nandha. The case was registered in crime No.3 of 2026 as a girl missing case.

3. The petitioner herein has filed H.C.P.No.104 of 2026, before this Court seeking to produce for daughter. The Hon'ble Division Bench by an order dated 11.03.2026 had directed the respondent police to ascertain whereabouts of the detainee and directed them to produce the detainee before the learned Additional Mahila Judge, Nagarkovil and on their production, the petitioner shall be put on notice and the learned Judicial Magistrate was directed to record the statement of the detainee and proceed further in accordance with law.



4. According to the learned Additional Public Prosecutor appearing for the respondents, the daughter of the petitioner has developed love affair and she had eloped with one Nandha and they are not able to trace her. They would comply with the directions of the Hon'ble Division Bench in H.C.P.No.104 of 2026 and she would be produced before the concerned Judicial Magistrate and thereafter, based upon the orders to be passed by the learned Judicial Magistrate and the statement of the detainee, they would alter the charges if required as per the provisions of the law.

5. In view of the above said facts, unless and until the detainee is secured, the question of altering the charges would not arise.

6. In view of the above said facts, this Criminal Original Petition stands disposed of with a direction to the respondents police to expedite the tracing of the missing girl and produce her before the concerned Judicial Magistrate.

18.03.2026

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



To

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1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
2. The Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

RJR

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