



W.P.Crl.(MD)No.3056 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **11.06.2026**

CORAM:

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

W.P.Crl.(MD)No.3056 of 2026

Saranya

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
Subramaniapuram Police Stataion,
Vasanth Nagar,
Madurai -33.
3. Vasuki
4. Sivasankaran

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st and 2nd respondents herein to recover petitioner's 12 Sovereigns of Gold Ornaments and Rs. 14,90,000 of amount settled to the petitioner, which is being illegally misappropriated, unlawfully retained by the 3rd and 4th respondents and consequently take appropriate action against the 3rd and 4th respondents, considering the petitioner's representation dated 12.05.2026 within a stipulated time.



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For Petitioner : Mr.M.Divakaran
For Respondents : Mr.S.Arun Arockiasamy (R1 & R2)
Counsel for State of TN (Crl.Side)

ORDER

This writ petition has been filed seeking for a direction to the 1st and 2nd respondents herein to recover the petitioner's 12 sovereigns of gold ornaments and the amount of Rs. 14,90,000 of amount settled to the petitioner, which is being illegally misappropriated, unlawfully retained by the 3rd and 4th respondents and consequently take appropriate action against the 3rd and 4th respondents, considering the petitioner's representation dated 12.05.2026 within a stipulated time.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a divorcee, who had received a sum of Rs.15,00,000/- as permanent alimony pursuant to the dissolution of her earlier marriage. It was further submitted that, under the guise of arranging second marriage for the petitioner, the respondents 3 and 4, who are none other than the petitioner's mother and brother, induced her to transfer the said alimony amount to their bank accounts.



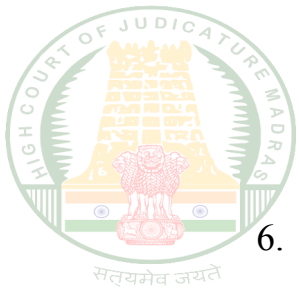
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3. According to the petitioner, after receiving the said amount, respondents 3 and 4 failed to return the money and also retained 12 sovereigns of her gold jewellery, thereby defrauding her. In this regard, the petitioner submitted a representation dated 12.05.2026 before the respondent police seeking appropriate action. Since no action has been taken on the said representation, the present writ petition has been filed.

4. The learned Government Advocate appearing for the respondent police submitted that an enquiry had already been conducted, during which both parties appeared before the respondent police. It was further submitted that the petitioner had given a written undertaking stating that the disputes between the parties would be resolved before the competent Civil Court. In view of the said undertaking, the enquiry was closed by the respondent police.

5. Heard the learned counsel on either sides and carefully perused the materials available on record. Considering the order proposed to be passed against the private respondents, notice to them is dispensed with.



6. Considering the peculiar facts and circumstances of the case, this

Court is of the prima facie view that the amount alleged to have been received and retained by respondents 3 and 4 represents the matrimonial alimony paid to the petitioner pursuant to the dissolution of her marriage and, therefore, constitutes her exclusive property. In such circumstances, respondents 3 and 4 ought not to have appropriated the said amount for themselves. Even assuming that the amount had been received by them for any particular purpose on behalf of the petitioner, they are under an obligation to properly account for and return the same to the petitioner. The same principle would also apply to the petitioner's gold jewellery, if found to be in their custody.

7. Under such circumstances, without going into the merits of the case, this Court hereby directs the respondent police to reopen the petitioner's representation dated 12.05.2026 and put the petitioner as well as the 3rd and 4th respondents on notice under Section 64 BNSS and conduct a fresh enquiry and on enquiry, if the factum of receipt of the matrimonial alimony to the tune of Rs.15,00,000/- being received in the account of the 3rd and 4th respondents is revealed to be proved, the respondent police shall take appropriate action in the manner known to law.



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WEB COPY 8. With the above direction, this writ petition stands disposed of.

11.06.2026

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

1. The Superintendent of Police,
Tirunelveli, Tirunelveli District.
2. The Inspector of Police,
Kalakkadu Police Station,
Tirunelveli.
3. 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
W.P.Crl.(MD)No.3056 of 2026

Dated
11.06.2026