



Crl.O.P(MD)No.23619 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.23619 of 2025

Prabhavathy

... Petitioner/Defacto Complainant

Vs.

**The State of Tamil Nadu,
Rep.by Inspector of Police,
All Women Police Station,
Sivagangai District.
(Crime No.13/2025)**

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondent to file a final report in Crime No.13 of 2025 on the file of the respondent within a time frame fixed by this Court.

For Petitioner : Mr.N.Jeyaram Sidharth

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



Crl.O.P(MD)No.23619 of 2025

WEB COPY

ORDER

Preface:

The advent of the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023, and the Bharatiya Sakshya Adhiniyam, 2023 marks a constitutional transformation in India's criminal jurisprudence. For the first time since Independence, the criminal process has been consciously re-engineered to be victim-centric, citizen-responsive and justice-oriented, in contrast to the colonial enactments which were historically designed to subserve the interests of an imperial administration and to control its subjects.

2. The new Codes emphasise timeliness, transparency, accountability, and proportionality, recognising delay as a denial of justice. In particular, the BNSS, 2023, by codifying strict timelines for investigation in Section 193, ensures that the investigating agency cannot indefinitely keep the sword of uncertainty hanging over the head of an accused or allow victims to languish without closure. It is in this



Crl.O.P(MD)No.23619 of 2025

mandate of constitutional justice that the present petition deserves to be examined.

3. Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to direct the respondent to file a final report in Crime No.13 of 2025 on the file of the respondent within a time frame fixed by this Court.

Submissions:

4. The learned counsel for the petitioner submits that though the FIR was registered on 15.10.2025, no final report has been filed till date. It is therefore prayed that necessary directions be issued.

5. The learned Government Advocate (Crl.Side) Mr.M.Sakti Kumar, submitted that the investigation is in progress and the investigating officer shall abide by any timeline fixed by this Court.

6. Heard the learned counsels on either side and carefully perused the materials available on record.



Analysis:

7. The BNSS has introduced a strict regime of time-bound investigation, which reads as follows:

(i) Section 193(1) BNSS mandates that every investigation under this Sanhita shall be completed without unnecessary delay. (ii) Section 193(2) BNSS mandates that in relation to offences punishable with imprisonment of seven years or more, the investigation shall ordinarily be completed within ninety days; and in all other offences, within sixty days. (iii) Section 193(3) BNSS, mandates that if the investigation is not completed within the period prescribed, the investigating officer shall record the reasons in writing and intimate the Magistrate of such delay.

8. The statute therefore creates (i) a positive duty to complete investigation promptly; (ii) outer time limits; and (iii) a compulsory accountability mechanism for delay. These provisions are mandatory in nature and bind the investigating agency.



Crl.O.P(MD)No.23619 of 2025

9. The Petitioner states that she has two sons and one minor daughter, and that her husband is employed at Andaman. On 14.10.2025, the Petitioner's minor daughter, a student of IV Standard, informed that one Jainudeen, who runs a sports shop, took her on his motorcycle to a secluded place and behaved inappropriately with her. The Petitioner thereby alleges that the said person committed an act of sexual misconduct involving inappropriate physical contact with her minor daughter. Based on the complaint lodged by the petitioner, F.I.R was registered in Crime No.13 of 2025 under Sections 9(m) & 10 of POCSO Act and 137(2) & 351(2) of BNS on 15.10.2025 and the investigation has not culminated in a final report so far.

10. This Court is inclined to issue appropriate directions.

11. In the light of the above statutory mandate and taking into account the facts and submissions, the following directions are issued:

(i) The respondent police is directed to complete the investigation in Crime No.13 of 2025 and file a final report before the jurisdictional



Crl.O.P(MD)No.23619 of 2025

Court within a period of eight (8) weeks from the date of receipt of a copy of this order.

(ii) If for any legally acceptable reason the investigation cannot be completed within the above period, the investigating officer shall strictly comply with Section 193(3) BNSS by recording reasons in writing and placing the same before the jurisdictional Magistrate without fail.

(iii) The petitioner is at liberty to work out his remedies in accordance with law if the above directions are not complied with.

Epilogue:

12. The BNSS, 2023 embodies a shift from a punitive colonial framework to a justice-centric democratic framework. Timely investigation is the first guarantee of fairness to both victim and accused. This Court expects diligent adherence to statutory timelines by the investigating agency.



Crl.O.P(MD)No.23619 of 2025

WEB COPY

13. Accordingly, this Criminal Original Petition is disposed of
with the above directions.

02.01.2026

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

gbg

To

- 1.The Inspector of Police,
All Women Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.23619 of 2025

L.VICTORIA GOWRI, J.

gbg

Crl.O.P(MD)No.23619 of 2025

02.01.2026