



Crl.O.P(MD)No.1849 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.1849 of 2026

B.Rajagopal

... Petitioner/ Defacto Complainant

Vs.

1.The State of Tamil Nadu,
Rep.by The Superintendent of Police,
SH 44, District Collectorate,
Sulakkarai,
Virudhunagar – 626 002.

2.The Deputy Superintendent of Police,
Police Sub Division Camp Office,
Tenkasi-Madurai Road,
Srivilliputtur,
Virudhunagar District.

3.The Inspector of Police,
Srivilliputtur Town Police Station,
Srivilliputtur,
Virudhunagar District.
(Crime No.318/2023)

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for records with regard to the final report in S.T.C.No.391 of 2025 dated 16.10.2023 on the file of Judicial Magistrate II,



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Srivilliputtur and set aside the same and consequently direct the respondent to conduct further investigation in Crime No.318 of 2023 dated 16.07.2023 before the 3rd respondent police herein and file final report afresh within period of stipulated by this Court.

For Petitioner : Mr.M.Vijayarathinam

For Respondents : Mr.S.Ravi
Additional Public Prosecutor

ORDER

Seeking quashment of the final report in S.T.C.No.391 of 2025 dated 16.10.2023 on the file of Judicial Magistrate II, Srivilliputtur , this criminal original petition is filed.

2. The learned counsel for the petitioner submitted that the petitioner is the *defacto* compliant before the 3rd respondent police. This Court has already passed an order in Crl.O.P(MD)No.10721 of 2024 dated 18.07.2024 to transfer the investigation of the Crime No.263 of 2024 from the file of the Srivilliputtur town police station to any other sincere officer. However, without proper investigation, a final report has been filed and hence, the petitioner seeks quashment of the same.



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3. Per contra, the learned Additional Public Prosecutor submitted that on the basis of the complaint lodged by the petitioner's daughter, Crime No.263 of 2024 was registered and the same was ordered to be transferred by this Court vide order dated 04.11.2024. Crime No.318 of 2023 was registered on the basis of the complaint lodged by the petitioner herein. This Court by order dated 04.11.2024 in Crl.O.P(MD)No.18983 of 2024 transferred Crime No.318 of 2023 to the officer who was entrusted with the investigation in Crime No.263 of 2024. Before receiving the order copy, the Sub Inspector of Police had filed a positive final report in Crime No.318 of 2023 as against accused person. After taking note of the order, the Deputy Superintendent of Police had constituted Inspector of Police, Town Police Station to investigate both the cases. The Inspector of Police undertaken further investigation. After further investigation, final report would be filed.

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



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5. Though the learned Additional Public Prosecutor submitted that already further investigation has been initiated at the instance of Deputy Superintendent of Police, Srivilliputtur nominating a new Investigating Officer, the learned counsel for the petitioner brought to the notice of this Court that already the learned trial Court had taken cognizance on the final report in S.T.C.No.391 of 2024. In this regard, considering the fact that further investigation has already been initiated, the learned trial Court is directed not to commence the trial until further investigation is concluded and an additional final report is filed by the investigating officer who has taken up with the investigation currently.

6. With such directions that will appease disposed of.

02.02.2026

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

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Srivilliputtur,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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