

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2025

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CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD)No.12539 of 2025

Kosamattam Finance Company,
Rep. by its
Regional Manager,
Ratheesrajan

: Petitioner

Vs.

1.The State of Tamil Nadu, Rep. by
The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.

2.The Inspector of Police,
Karur Town Police Station,
Karur District.

3.The Director General of Police,
Tamil Nadu.

4.The Secretary to Government,
Home Department,
State of Tamil Nadu,
Secretariat, Chennai.

: Respondents

[R.3, R.4 *suo-motu* impleaded vide order dated 07.08.2025]



PRAYER: Petition filed under Section 528 BNSS to direct the second respondent to file the final report in Crime No.733 of 2023 within a stipulated time limit.

For Petitioner : Mr.S.Malaikani

For Respondents: Mr.P.Kottaichamy,
Government Advocate (Crl. Side)
for R.1, R.2

Mr.T.Senthil Kumar
Additional Public Prosecutor
for R.3, R.4

ORDER

The petitioner / Finance Company has lodged a complaint before the Karur Town Police Station alleging that it had been cheated by an accused who pledged spurious gold to the extent of 418.4 grams, resulting in a loss of Rs.16,80,900/-. Based on the said complaint, a case in Crime No.733 of 2023 was registered on 23.11.2023 for the offences punishable under Sections 406 and 420 IPC. The present petition has been filed seeking a direction to the respondent Police to conclude the investigation and file the final report within a stipulated time.

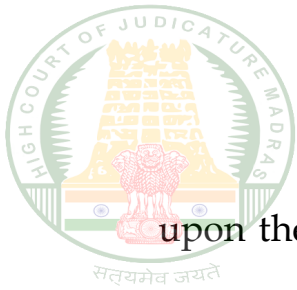


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2. When the application came up for hearing on 25.07.2025, a representation was made on behalf of the respondent Police that two witnesses had been examined and that certain documents were sought from the defacto complainant. It was further submitted that the defacto complainant had not co-operated with the investigation and failed to produce the requisite documents, thereby stalling the investigation.

3. The petitioner, on the contrary, alleged that the Police had failed to act upon its complaint. In response, the learned Government Advocate appearing for the Police reiterated that the petitioner had not co-operated. When a specific query was posed by this Court regarding the documents required from the defacto complainant, the Officer who had come to assist the learned Government Advocate was unable to respond.

4. Therefore, this Court, by order dated 25.07.2025, directed the respondent Police to produce copies of any summons, if issued, calling



upon the petitioner to produce documents necessary for the investigation, and adjourned the matter to 05.08.2025.

5.A report has now been filed by the Deputy Superintendent of Police, Karur Town Sub-Division, stating that the investigation in Crime No.733 of 2023 was in fact completed, and that the final report had been filed on 11.01.2024. It is further stated that the final report has been submitted for e-filing under LTN-20220001469C202500453 on 27.07.2025.

6.Curiously, this report is silent as to the documents that were earlier claimed to be pending from the defacto complainant. Yet, on 25.07.2025, a categorical representation was made before this Court that the investigation was incomplete due to non-cooperation by the defacto complainant and non-production of certain documents.

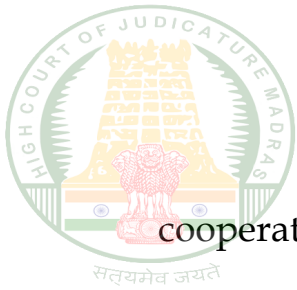
7.A communication dated 31.07.2025, addressed by the Inspector of Police, Karur Town Police Station, to the Superintendent of Police, Karur,



has also been placed on record. It reveals that two Special Sub-Inspectors of Police, namely Tr. Palanichamy [1092] and Tr. Padmaseelan [900], were deputed to appear before this Court and they had provided instructions in a casual and uninformed manner without properly verifying the CD file. Consequently, the Inspector of Police has recommended initiation of disciplinary proceedings against the said officers for having furnished vague and careless information to the Court.

8.Though it is now claimed that the investigation was completed and the final report filed as early as 11.01.2024, it was submitted for e-filing only on 27.07.2025, ie., after the order passed by this Court on 25.07.2025.

9.From the records, it is apparent that there were, in fact, no outstanding documents required from the defacto complainant, contrary to the representation made on 25.07.2025. The learned Government Advocate, acting upon the instructions provided to him by the officials, submitted that the delay in the investigation was due to the petitioner's non-



cooperation. Therefore, it is clear that a false representation was made before this Court on that day.

10.Courts rely on the submissions made by both sides in order to render just decisions. The State's representations, particularly those advanced by the learned Government Advocate, carry weight and are presumed to be based on verified instructions. In the present case, it has now come to light that the instructions given were inaccurate and misleading.

11.Although disciplinary action is stated to have been proposed against the two Special Sub-Inspectors of Police, this Court is not concerned with individual disciplinary measures. What concerns this Court is the manner in which the system functions. If accurate and authentic information is not furnished by responsible officials, it becomes extremely difficult for Courts to arrive at proper conclusions. Had the Investigation Officer provided instructions directly to the learned Government Advocate,



this miscommunication could have been avoided, and the two Special Sub-

Inspectors would not have been made scapegoats for the lapses of the Investigation Officer.

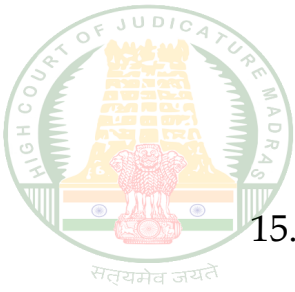
12.Instructions are currently being provided in person by Police Officers to the Government Law Officers. However, for effective communication, the Department has already designated Liaison Officers for each District, in addition to Liaison Officers attached to the offices of the DGP, IG, and SP/CoP. Once applications are filed before this Court, they are transmitted to the Office of the Public Prosecutor around 3.00 to 4.00 pm after being numbered. These applications are listed for hearing before the Court on the third day.

13.The Office of the Public Prosecutor is equipped with a scanner, and all such applications can be scanned and sent electronically to the respective Police Stations. If the Liaison Officers and the Office of the Public Prosecutor work in coordination, the investigating officers can receive



copies of the applications on the very day of filing, between 8.00 pm and 10.00 pm. They will thus have an entire day to examine the matter and furnish written instructions via email. A separate Police Station functions within both the Madurai Bench and the Principal Seat. From there, the Liaison Officers can take print out of the instructions received from respective Police Stations for the applications listed each day, and furnish the same to the Law Officers, thereby enabling them to represent the cases without ambiguity or delay.

14. In the earlier days, when such technological conveniences were unavailable, oral instructions and physical presence in Court were perhaps inevitable. But the present digital ecosystem, comprising scanners, emails, and instant messaging platforms, offers seamless, prompt and authenticated communication. Continuing with outdated manual practices despite the availability of these tools only adds to systemic delays.



15.The sad reality is, even now, Police Officers are made to wait in the Court premises for the entire day merely to provide oral instructions, often without prior preparation. This results in a complete and unnecessary drain of their productive time, which could otherwise be utilised in progressing pending investigations.

16.This Court had an occasion to make similar observations in **Crl.OP(MD)Nos.3155 and 5962 of 2024, dated 16.05.2025**, wherein it was observed as under:

“23.This Court has also noticed that most of the time of the investigation officers are spent for their appearance in the Court on the applications filed by the accused. The Public Prosecutors have to restrict from calling the investigation officers for each and every hearing. They can collect the written instructions on the point of issue and they can very well verify the same through video conference. The Secretary to Government, Home Department shall ensure for providing video conference facility to the Office of the Law Officers, at least at the High Court and District Court level to preserve the time of the investigation officers in the Court waiting unnecessarily from morning to evening. The Public Prosecutor shall issue a Circular to that effect, restricting the



law officers under the conditions in which they have to summon the investigation officers to the Court.”

17.The learned State Public Prosecutor, who appeared before this Court in another matter, has acknowledged this concern and submitted that he had already addressed a letter dated 01.08.2025 to the Director General of Police proposing certain guidelines to resolve the issue. A copy of the said letter has also been placed before this Court. The said letter recommends, among other things:

“a) Government Law Officers shall insist for the appearance of the Police only in cases of public importance / sensitive cases, when their physical presence is imperative and the Courts specifically direct so.

b) Government Law Officers shall strictly avoid summoning of Police Officers in absolutely needless cases.

c) In Cities / Districts wherever Video Conference interaction with the Police is suffice, the Commissioners of Police / Superintendents of Police shall facilitate the Government Law Officers to opt for that mode of interaction instead of physical appearance.

d) Depending upon the nature of cases, instruction sheets shall be prepared by the Government Law Officers and the instruction sheets shall be sent to the Police Station concerned by an electronic mode and



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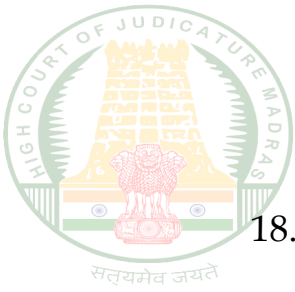
the Police in turn shall fill up the instruction sheet and enclosing the required supporting documents return the same to the Government Law Officers concerned by mail or other available digital platform.

e) The instruction sheets filled up shall be duly authenticated by the Officers concerned and shall be ensured that the details are in complete form.

f) Video Conference facilities / sending of instruction sheets by digital platform shall substantially reduce the time and energy spent by the Police by travelling from the respective police Station to the concerned Courts. The police can very well make use of this valuable time in productive activity in the Police Station.

g) The Director General of Police is requested to ensure the presence of Police, district-wise incharge for both at the Principal Seat at Chennai and its Bench at Madurai and they shall be instructed to collect mails from Police Station, verify the details and connected documents and after scrutiny handover them to the Government Law Officer concerned.

h) The Director General of Police / Head of Police Force shall ensure that the "Court Cell Team" attached to the Directorate General of Police shall monitor the work of the Police deputed District wise and coordinate between them and the Government Law Officers at the High Court of Madras at its Principal Seat at Chennai and its Bench at Madurai."

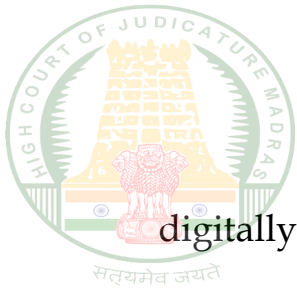


18.The recommendations are sound and, if implemented in letter and spirit, would avoid recurrence of what has occurred in the present case.

The officers visiting the Court to give instructions end up spending the entire day, resulting in a gross waste of manpower. Had they remained at their respective stations, valuable time could have been deployed toward investigation in pending matters.

19.In this very application, the instructions required were minimal — the stage of investigation; number of witnesses examined; documents recovered; and likely time for conclusion. These could have been furnished in three lines by the Investigation Officer. Yet, two officers were deputed, who, without verifying the CD file, gave vague oral instructions, resulting in a detailed order from this Court and subsequent initiation of disciplinary proceedings.

20.This situation could have been entirely avoided, had the instructions been furnished by the investigation officer via email or

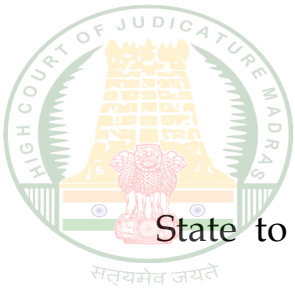


digitally authenticated formats, as envisioned by the Public Prosecutor's letter.

21.In view of the above, this Court *suo motu* impleads the Director General of Police, Tamil Nadu, and the Secretary to Government, Home Department, as party respondents to this application. Mr.T.Senthil Kumar, learned Additional Public Prosecutor is to take notice on behalf of the newly impleaded respondents.

22.The said authorities are requested to take appropriate policy decisions on the issues discussed herein, in consultation with the State Public Prosecutor. The recommendations contained in the Public Prosecutor's letter dated 01.08.2025 and the earlier directions of this Court in *Crl.OP(MD)Nos.3155 and 5962 of 2024* shall be duly considered.

23.It has been clarified by the Registry that Court Case Monitoring System (CCMS), a digital platform, has already been introduced by the

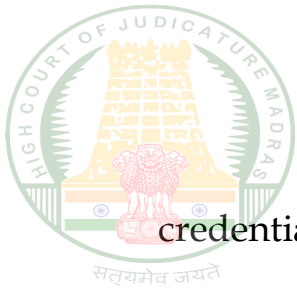


State to monitor and coordinate the handling of all categories of Court

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cases involving the Government, including civil, criminal, writ, and public interest matters. Once a case is filed before the High Court, the Registry feeds the details into their system, which is then reflected in the CCMS portal. Therefore, all cases filed before the High Court involving Government entities would be readily available in bulk form ('dump') within the CCMS portal.

24.However, unless filtered appropriately, these cases may not be immediately visible to the concerned sub-department or officer. To ensure effective and targeted access, it is suggested that the High Court Registry, at the time of feeding the case details into CCMS, assign a unique Department Code or Identifier corresponding to the name of the Government Department, sub-department, or office involved in the litigation. Such codes should be shared with the Government, so that login credentials for each Department or officer are configured accordingly. By doing so, when an officer logs into CCMS using their designated



credentials, only those cases filed against or concerning their department or designation will be visible, thereby streamlining accountability and reducing administrative delays.

25.This Court is also informed that access to CCMS is currently limited to the Secretariat, and not made available to other Officers of the Government. If login access to CCMS is extended to other field-level Officers, they can directly view such petitions upon filing, prepare timely and accurate instructions, and transmit the same to the Government Law Officers. This would avoid vague oral briefings, last-minute adjournments, and the need to depute officers to Court merely to gather or confirm procedural information. Until such access is decentralised and operationalised, the intended efficiency of CCMS remains unrealised in day-to-day case coordination.

26.Therefore, the fourth respondent / Home Secretary shall take necessary steps to operationalise the CCMS platform at all levels. Access



shall be extended to all the Officers of the Government, so that real-time

case data can be accessed without the need for physical appearance or oral instruction. Such a step would not only ensure administrative efficiency, but also preserve the time and resources of the government machinery.

27.The Home Secretary shall also work in tandem with the Registry of this Court to ensure that appropriate Department Codes or Identifiers are assigned at the time of case entry, so that CCMS access is effectively filtered and mapped according to each department or designation. This coordinated exercise would facilitate targeted visibility of cases and ensure accountability in tracking and responding to court proceedings.

For compliance, post the matter on **29.08.2025**.

Internet : Yes
gk

07.08.2025



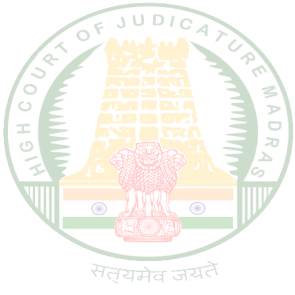
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- To
- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.
 - 2.The Inspector of Police,
Karur Town Police Station,
Karur District.
 - 3.The Director General of Police,
Tamil Nadu.
 - 4.The Secretary to Government,
Home Department,
State of Tamil Nadu,
Secretariat, Chennai.

Note:

Mark a copy of this order to

1. The State Public Prosecutor,
Madras High Court, Chennai.
2. The Registrar General,
Madras High Court, Chennai.
3. The Registrar (IT),
Madras High Court, Chennai.
4. The Additional Registrar (IT),
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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