

IN THE COURT OF XVII<sup>th</sup> JUDICIAL MAGISTRATE  
AT SAIDAPET, CHENNAI-15.

PRESENT: R.SENTHIL KUMAR, B.A., B.L.,  
XVII<sup>th</sup> JUDICIAL MAGISTRATE

Thursday the 5<sup>th</sup> Day of March 2026

Crl.M.P. No. 10162/2025

CNR.No: TNCH0C-022924-2025

Mr. Manimaran Rajendran,  
S/o. Rajendran,  
No.24, Ambedkar Road,  
Kodambakkam,  
Chennai-17.

... Petitioner

Vs.

1. The Deputy Commissioner of Police,  
Thiyagaraya Nagar Range,  
Chennai.

2. The Inspector of Police,  
R-8, Vadapalani Police Station.

... Respondents

3. Mrs.Owneita Asanta,  
C/o. Joseph John Baptist Trincol,  
No. C-1302, Metrozone,  
No. 44, Pillayar Koil Street,  
Anna Nagar,  
Chennai-56.

... Proposed Accused

This petition when having been brought before this court for final hearing in the presence of learned advocates M/s. S. Mohanraj and others appearing on behalf of the petitioner and after hearing him and stood over till this day for consideration and upon perusal and examination of case materials and evidences and arguments, this court today delivers the following:

ORDER

1. This petition is filed U/s 175(3) of BNSS seeking a direction to the 2<sup>nd</sup> respondent to carryout an investigation on the complaint of the petitioner.

2. Brief facts as contained in the complaint of the petitioner dt 12.07.2025:

The petitioner is a Director of a private limited company namely AMG Pvt Ltd which is running a hospital in the premises belonged to the proposed accused. There was a proper agreement and advance payment for the tenancy. The petitioner's company was also paying monthly rent without any default and the hospital was running smoothly. However, the hospital activities were suspended from 23.05.2024 and the hospital was not running therefrom. The entire premises was locked and escorted by the petitioner's company by appointing a watchman and all the medical equipment and all other installations were not removed from the premises and were kept inside. Then, there were complaints about attempt to steal of copper pipes of Air Conditioners and a threat to the security by another and they were complained to police. Then, there was a necessity to inspect the equipment by the bankers thus, the proposed accused was asked to allow the personnel and the employees of the company. But, the proposed accused who had erected a grill gate separating half of the premises and running her own business in the premises by using the interiors set up by the petitioner's company, had allowed them only to the half of the premises and she refused to inspect the entire premises. The petitioner's company had kept the equipment and other things worth about Rs. 8,86,22,830/-. Then, the consultant of the petitioner's company had received phone calls asking to reveal the OTP for transferring the C-ARM machine. Then only, the petitioner came to know that the proposed accused had sold out the equipment which were set up by the petitioner's company to others. Hence, once again, the petitioner and his team had tried to inspect the premises but they were denied access. Hence, the petitioner had lodged the complaint with the 2<sup>nd</sup> respondent dated 12.07.2025. But, there was no action on that complaint thus, a complaint was also sent to the Deputy Commissioner of Police, the 1<sup>st</sup> respondent. Even after such complaint, there was no action. Hence, the petitioner prefers this petition for the intervention of this court to direct the investigation of the case by the 2<sup>nd</sup> respondent.

3. The 2<sup>nd</sup> respondent was called upon to submit a reply thus, a report has been submitted that a previous complaint in respect of denial entry into the premises was enquired in the police station and the parties were told to approach the court but the present complaint which involved in the monitory value of more than a crore had to be dealt with by the Central Crime Branch thus, the petitioner was informed about the same and he had also given written acceptance thus, the complaint was closed.

4. According to the 2<sup>nd</sup> respondent, this complaint has to be investigated by the Central Crime Branch as per the Standing Order issued by the Commissioner of Police and on being informed, the petitioner has also accepted to approach the Central Crime Branch but he had approached this court with this petition and the complaint could not be investigated in view of the Standing Order of Commissioner of Police.

5. Point:- Whether the petitioner has made out a case for the intervention of this court?

6. Heard. The petitioner has alleged stealing of the medical equipment from his hospital when the activities were suspended and kept locked. His allegation is that the proposed accused who is the land lady had stolen the medical equipment and other fittings and interiors which were worth about more than 8 crores. The offence of theft is a cognizable offence and there is no escape for a Station House Officer from deviating his duty to file a First Information Report and investigate the matter. The complaint of the petitioner clearly discloses commission of cognizable offence of theft but the 2<sup>nd</sup> respondent has simply avoided such duty saying that as per the Standing Order of Commissioner of Police, he could not carryout investigation.

7. The Standing Order issued by the Commissioner of Police in Rc. No.Crime III(1) I 2LG I 63682 I 2023: Standing Order No.2L I 2023 is perused. However, this court did not see any embargo in that Standing Order ousting the jurisdiction of local police station to investigate the offence of theft. The Standing Order deals with the offences of Bank Frauds, Employment Rocketeering, Chit Fund Frauds, Charging Exorbitant Interest, Fake Passport, Cheating, Criminal Breach of Trust, Misappropriation, Forgery, Offences relating to immovable properties and Cyber Crimes and the Standing Order has set the pecuniary limits for the investigation of the cases by different branches of the police department of those cases including the local police station. The Standing Order has not at all dealt with the simple case of theft and it is clear that the 2<sup>nd</sup> respondent has flouted his statutory duty.

8. Therefore, this court is of the firm view that the petitioner has made out a case for the intervention of this court and that a direction to the 2<sup>nd</sup> respondent is necessary U/s. 175(3) of the BNSS. Accordingly, the point is answered.

Therefore, in the result, this petition is allowed. The 2<sup>nd</sup> respondent is directed to file a First Information Report on the complaint of the petitioner

dated 12.07.2025 and investigate the same and file a final report as early as possible. Send all relevant records to the 2<sup>nd</sup> respondent.

This order typed by me and pronounced in the open court on this the 5<sup>th</sup> day of March 2026.

//Sd.R.Senthil Kumar, B.A., B.L.,//  
XVII<sup>th</sup> Judicial Magistrate  
Saidapet.