

State of Tamilnadu  
In the Court of Sessions, Tenkasi Division  
Before the Principal Sessions Judge, Tenkasi.  
**PRESENT: THIRU. B.RAJAVEL, B.SC.,B.L.,**  
**Principal Sessions Judge, Tenkasi**  
**Tuesday the 07<sup>th</sup> day of April 2026**  
**RCS NO.20/2025**

Ananthakumar,  
S/o Selvaraj,  
302, Kuruvikulam Road,  
Thiruvengadam

.... Complainant

/Vs./

State: The Inspector of Police,  
Sankarankovil Town Police Station,  
Cr.No.423/2025

... Respondent

This petition is coming on this day for hearing before me in the presence of Thiru.R.Raju, Advocate for the Complainant and Thiru.S.Marikutty, the Public Prosecutor for respondent and on hearing both sides arguments and perusal of entire case records, this court delivered the following...

**//ORDER//**

**The Final Report averments in brief are as follows:**

The Investigating Officer, after completion of investigation, has filed a final report referring the case as “mistake of fact.” The allegation of the complainant is that an occurrence took place on 03.01.2025 at about 02.00 p.m. at Sankarankovil.

It is submitted that as per the statements of the complainant Anandakumar and his friend Sivakumar, the alleged occurrence took place on 03.01.2025, and a complaint was stated to have been given on 04.01.2025. However, witnesses from the financial institution have stated that the incident occurred on 04.01.2025.

Call Detail Records (CDR) of the complainant and witness Sivakumar reveal that both were present in Thiruvengadam on 03.01.2025 and did not visit Sankarankovil on that day. They were found to have come to Sankarankovil only on 04.01.2025. Similarly, the CDR of the accused shows that they were not present at Sankarankovil on 03.01.2025.

Further, there is no record at the Sankarankovil Police Station to show that the complainant lodged any complaint on 04.01.2025, as claimed. No entry is found in the station records or public register.

The materials indicate that the complainant visited the accused on 04.01.2025 regarding loan settlement disputes, and only thereafter, after deliberation, an online complaint was lodged on 10.01.2025.

In view of the contradictions in the date of occurrence, absence of presence of parties at the alleged place, lack of contemporaneous complaint, and inconsistencies in witness statements, the allegation of occurrence on 03.01.2025 is found to be false and exaggerated.

Hence, the case is concluded as “mistake of fact” and final report is filed accordingly.

**The Objection Petition averments in brief are as follows:**

The complainant respectfully submits:

The complainant resides within the jurisdiction of this Hon’ble Court. The accused are working at Sankarankovil. The complainant belongs to a Scheduled Caste (Hindu Paraiyar community), while the accused belong to an upper caste.

The complainant applied for a loan of Rs.17,50,000/- on 09.09.2023 for purchase of a lorry (TN 61/2628). The accused sanctioned only Rs.5,64,000/- and imposed onerous conditions. The complainant agreed to repay in 48 instalments and has already paid Rs.8,28,870/-.

At the time of loan, the accused retained the RC Book and original permit documents, assuring return when required. However, when the permit expired, the accused refused to return the documents unless the entire loan was closed, thereby preventing the complainant from operating the vehicle.

Despite repeated requests on 05.12.2024 and 21.12.2024, the accused failed to furnish proper loan statements. On 31.12.2024, they demanded an arbitrary sum without explanation.

On 03.01.2025, when questioned, the accused abused the complainant in filthy language, insulted him with caste-related remarks in public, and criminally intimidated him. The complainant's friend Sivakumar, present at the scene, was also abused.

Due to illegal retention of documents, the complainant suffered financial loss and mental agony. Complaints dated 04.01.2025, 10.01.2025, and 10.02.2025 to police authorities yielded no action.

Pursuant to Court direction, FIR in Crime No.423/2025 was registered under relevant provisions of BNS and SC/ST (POA) Act. However, the police, in a biased manner, filed a final report falsely stating that the accused were not present at the time of occurrence.

The investigation is defective, contrary to evidence, and has resulted in grave injustice. The complainant has sufficient oral and documentary evidence to prove the case.

**The points for determination is whether this Final Report is allowed or not?**

This matter arises out of the final report filed by the Sankarankovil Town Police in Crime No. 423 of 2025, along with the protest petition filed by the complainant objecting to the said report.

This Court has carefully perused the final report, case diary, protest petition, and the materials available on record.

Further, upon careful examination of the Call Detail Records (CDR) relating to the mobile number of Sivakumar, the alleged eyewitness and friend of the complainant, it is revealed that he was present in the Thiruvengadam area throughout 03.01.2025 and had not visited Sankarankovil on that day. The records indicate that he reached Sankarankovil only on 04.01.2025.

Similarly, the CDR pertaining to the first accused, Mariswaran, discloses that at the relevant time, namely around 02.00 p.m. on 03.01.2025, he was present near Serndamaram and not at Sankarankovil. His presence at Sankarankovil is reflected only on 04.01.2025.

Further, the CDR analysis of the second accused, Pandimuni, establishes that he was present in the Tenkasi and Sengottai areas throughout 03.01.2025 and did not visit Sankarankovil on the said date, and that he came to Sankarankovil only on 04.01.2025.

Thus, the objective electronic evidence in the form of CDR clearly demonstrates that neither the complainant, nor the alleged eyewitness, nor the accused persons were present at Sankarankovil on 03.01.2025 at the time when the alleged occurrence is stated to have taken place.

The inconsistencies relating to the date of occurrence, contradictions revealed during investigation.

In such circumstances, it is reasonably inferred that the alleged occurrence dated 03.01.2025.

Therefore, this Court concurs with the finding of the Investigating Officer that the case falls within the category of “mistake of fact”, and the final report is liable to be accepted.

Accordingly, the final report is accepted and recorded as “mistake of fact.”

It is well settled that even after acceptance of a final report, the Court has the discretion to treat a protest petition as a private complaint, provided it

discloses sufficient grounds for proceeding and satisfies the requirements of law.

In the present case, upon perusal of the protest petition, this Court finds that the same is not in proper form and does not disclose adequate materials warranting independent judicial scrutiny. The averments are not sufficiently structured and do not satisfy the requirements contemplated under the provisions of the Code of Criminal Procedure.

Hence, this Court is not inclined to treat the protest petition as a private complaint.

However, liberty is granted to the complainant to file a fresh private complaint in accordance with law, if he is so advised.

The final report filed by the police in Crime No. 423 of 2025 is accepted and recorded as “mistake of fact.”

The complainant is at liberty to file a proper complaint under Cr.P.C., if so advised.

Pronounced by me in open court, this the 07<sup>th</sup> day of April 2026.

PRINCIPAL SESSIONS JUDGE,  
TENKASI.

**RCS No.20/2025**

**ORDER**

**Dated: 07.04.2026**