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CRL OP No. 20504 of 2



Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-08-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 20504 of 2026

AND

CRL OP NO. 10560 OF 2026

CRL OP No. 20504 of 2026

R.Annadurai
S/o.Ramasamy Gounder,
No.5/246A, Avinashilingam Palayam Street,
Kaikattipudhur,
Avinashi Taluk,
Tiruppur District.

..Petitioner(s)

Vs

The State Represented by the Deputy
Superintendent of police
Avinashi Sub Division,
Tiruppur District.
(Crime no.189 of 2025 - Cheyyur Police Station.)

..Respondent(s)

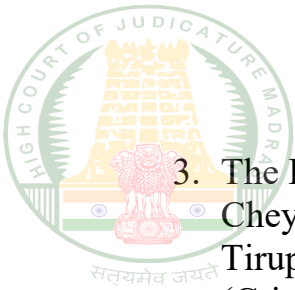
CRL OP No. 10560 of 2026

Annadurai Ramasamy
S/o Ramasamy,
Door.No.5/246A, Avinashilingam Palayam Veethi,
Kaikatti, Avinashi,
Tiruppur -641654

..Petitioner(s)

Vs

1. The Superintendent of Police
Tiruppur Rural, Tiruppur,
Tiruppur District
2. The Deputy Superintendent of Police
Cheyyur Police Station, Avinashi,
Tiruppur District,.



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3. The Inspector of Police
Cheyyur Police Station,
Tiruppur District.
(Crime No.189 of 2025)

4. Sivakumar
Deputy Superintendent of Police,
Avinashi Sub Division,
Tiruppur District.

5. Mohanasundaram
Revenue Divisional Officer,
Tiruppur District.

..Respondent(s)

CRL OP No. 20504 of 2026

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to set aside the docket order dated 25.10.2025 made in Un-numbered R.P.No of 2025 in Crime no.189 of 2025 on the file of the Learned Judicial Magistrate, Avinashi and pass such further or other orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case.

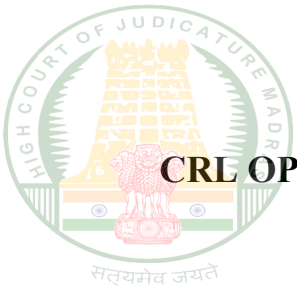
CRL OP No. 10560 of 2026

Prayer: Criminal Original Petition filed under Section 528 of BNSS, to direct the respondent no.1 herein to appoint a new investigating officer not below the rank of Superintendent of Police to conduct further investigation in PRC.No.2 of 2026 on the file of learned Judicial Magistrate, Avinashi and to file a additional chargesheet within a stipulated time frame fixed by this Honble Court

CRL OP No. 20504 of 2026

For Petitioner(s): **Mr.B Mohan**

For Respondent(s): **Mr.M.Dinesh,
Government Advocate (Crl.Side)**

**CRL OP No. 10560 of 2026**

For Petitioner(s):

Mr.B Mohan

For Respondent(s):

Mr.M.Dinesh,
Government Advocate (Crl.Side)
for R1 to R3

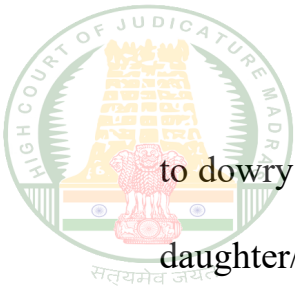
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COMMON ORDER

Crl.OP.No.20504 of 2026 has been filed challenging the docket order dated 25.10.2025 on the file of the learned Judicial Magistrate, Avinashi, thereby, rejected the petition filed by the petitioner for return of property as not maintainable.

2. Crl.OP.No.10560 of 2026 has been filed seeking direction to the first respondent to appoint a new Investigating Officer not below the rank of Superintendent of Police to conduct further investigation in PRC.No.2 of 2026 on the file of the learned Judicial Magistrate, Avinashi and to file additional charge sheet.

3. The case of the prosecution is that the petitioner is the defacto complainant. His daughter got married to the first accused on 11.04.2025. During the marriage, the accused persons have demanded 300 sovereigns of gold, a car and also huge money to set up business for the first accused. At the time of marriage, the defacto complainant had presented 100 sovereigns of gold and a Volvo Car worth about Rs.63,00,000/- to the first accused. Thereafter, due



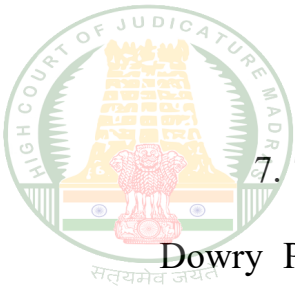
to dowry harassment, sexual harassment and all types of cruelty, the petitioner's daughter/deceased was driven out from her matrimonial home.

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4. It is further alleged that one day prior to the occurrence, the entire family members came to the house of the petitioner and demanded huge dowry and their demand was fulfilled, so that the petitioner's daughter could be taken to the matrimonial home. On the next day, the petitioner's daughter had committed suicide by consuming poison which led to the registration of an FIR in Cr.No.189 of 2025 under Section 194(3) of BNSS on the file of the third respondent.

5. After completion of investigation, final report has been filed for the offences punishable under Sections 85 and 108 of BNS, 2023, Section 3(1) and 4 of Dowry Prohibition Act, 1961. Now, it is pending for committal in PRC.No.2 of 2026 on the file of the learned Judicial Magistrate, Avinashi.

6. At this juncture, the petitioner has filed an application for return of jewels. However, the said application was returned on the ground that no jewels were seized from the accused and that it was not deposited before the trial Court.



7. The learned counsel for the petitioner submits that under Section 6 of Dowry Prohibition Act, 1961 the Investigation Officer also ought to have recovered the jewels which were given as dowry. However, the Investigating Officer has failed to recover the jewels which was given as dowry during the time of marriage. Though, the petitioner had furnished the CCTV footage along with audio, the third respondent failed to consider the same at the time of investigation.

8. The learned counsel for the petitioner further submits that infact, in the suicidal note sent by the deceased through WhatsApp by voice message, the jewels which were given as dowry during their marriage, were kept under lock and key of deceased cupboard in the matrimonial home. Even then, the third respondent failed to recover the same and hand it over to the petitioner.

9. The learned Government (Crl.Side) appearing for the respondent police has filed a detailed counter, wherein, the Deputy Superintendent of Police, Avinashi has stated that during the investigation, he has seized the Skoda Car bearing Reg.No.TN-38-AZ-0888 and Vivo Mobile Phone, which belong to the deceased and a Parryfospesticide bottle from the deceased.



10. He further stated that after completion of investigation of investigation, filed final report for the offence under Section 85 and 108 of BNS, 2023, Section 3(1) and 4 of Dowry Prohibition Act, 1961.

11. Heard both sides and perused the materials available on record.

12. Admittedly, the fourth respondent did not seize any jewels, car which were given as dowry to the first accused, which were kept in the lock and key of the of deceased cupboard in the matrimonial home. The deceased had sent a voice message in which she has categorically stated that all the jewels were given a dowry were kept under the lock and key of her cupboard.

13. The Revenue Divisional Officer has conducted enquiry and submitted his report. According to the Revenue Divisional Officer, there was no dowry demand. However, there are statement and clinching material evidence to show the offence under Dowry Prohibition Act, is clearly attracted as against the accused. Hence, the fourth respondent has rightly filed a final report for the offences under Section Section 85 and 108 of BNS, 2023, Section 3(1) and 4 of Dowry Prohibition Act, 1961, the only failure on the part of the Investigating Officer is that she did not recover any jewels and car which were given as dowry as contemplated under Section 6 of Dowry Prohibition Act.



14. It is relevant to extract the provisions of Section 6 of the Dowry

Prohibition Act, which reads under:

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6. Dowry to be for the benefit of the wife or heirs-(1)

where any dowry is received by any person other than the woman in connection with whose marriage it is given, that person shall transfer it to the woman:

(a) if the dowry was received before marriage, within (three months) after the date of marriage; or

(b) if the dowry was received at the time of or after the marriage within (three months) after the date of its receipt; or

(c) if the dowry was received when the woman was a minor with (three months) after she has attained the age of eighteen years and pending such transfer, shall hold it in trust for the benefit of the woman.

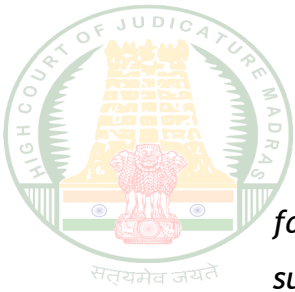
(2) If any person fails to transfer any property as required by sub-section (1) within the time limit specified therefore [or as required by sub-section (3)] he shall be punishable with imprisonment for a term which shall not be less than six months, but which may extend two years or with fine [which shall not be less than five-thousand rupees, but which may extend to ten thousand rupees] or with both]

(3) Where the woman entitled to any property under sub-section(1) dies before receiving it, the heirs of the woman shall be entitled to claim it from the person holding it for the time being;

[Provided that where such woman dies within seven years of her marriage, otherwise than due to nature causes, such property shall-

(a) if she has no children, be transferred to her parents, or

(b) if she has children, be transferred to such children and pending such transfer, be held in trust for such children.]



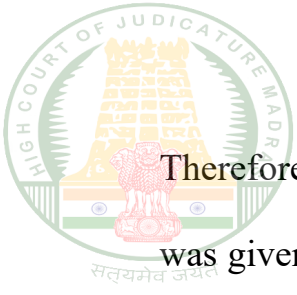
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[(3-A) Where a person convicted under sub-section (2) for failure to transfer any property as required by sub-section (1) [or sub-section(3) has not, before his conviction under that sub-section, transferred such property to the woman entitled thereto or, as the case may be , [her heirs, parents or children], the Court shall, in addition to awarding punishment under that sub-section, direct by order in writing, that such person shall transfer the property to such woman or, as the case may be, (her heirs, parents or children] within such period as may be specified in the order, and if such person fails to comply with the direction within the period so specified, an amount equal to the value of the property may be recovered from him as if it were a fine imposed by such Court and paid to such woman, as the case may be [her heirs, parents or children].

(4) Nothing contained in this section shall affect provisions of Sec3 or Sec 4)

15. It is clear that whatever the dowry received at the time of marriage or after the marriage or before marriage, shall be transferred to the parents of the deceased if there are no children involved. In the case on hand, admittedly, the deceased had no children through the first accused. Therefore, the entire dowry weighing 100 sovereigns of gold, Volvo car which was given as dowry to the first accused ought to have been recovered by the fourth respondent.

16. As per the statement and available material evidence the fourth respondent has rightly filed final report for the charges under Section 85 and 108 of BNS, 2023, Section 3(1) and 4 of Dowry Prohibition Act, 1961.



Therefore, it does not require any re-investigation. However, the dowry which was given by the parents of the deceased shall be recovered from the accused as contemplated under Section 6 of the Dowry Prohibition Act.

17. The list of dowry articles presented at the time of marriage are as follows:

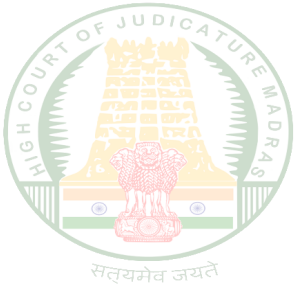
Srl.No.	Gold Jewels	Weight
i	மையில் பெனனிட் செயின்	68.00
ii	மையில் கம்மல் வெள்ளை கல்	6.350
iii	பெரிய ஆரம்	67.420
iv	கொடை ஜிமிக்கி	20.00
v	பெரிய நெக்லஸ்	64.00
vi	பெரிய ரவுண்ட் கம்மல்	15.340
vii	சன்ன செயின் பாலுடன்	18.00
viii	பெரிய வளையல்	25.750
ix	பிரேஸ்லெட்	18.00
x	மோதிரம்-3	10.00
xi	முத்துக்கம்மல்	4.350
xii	செயின்-2	21.140+32.70
xiii	காப்பு -1	37.240
xiv	மோதிரம்1	12.00
xv	வெள்ளிக்கொலுசு	
xvi	இரட்டை வளையல்-1 ஜோடி	43.00

Car

- i Car Volvo Vehicle No.TN-3-DH-3949

வெள்ளிப் பொருட்கள்

- i வெள்ளித் தட்டம் பெரியது
ii வெள்ளிக் குடம்
iii வெள்ளி கிப்ட் வகைகள்
மற்றமுள்ள இதர பொருட்கள்
i. பழைய செல்போன்-2
ii முணம் ரூ2,00,000/- மற்றும்



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ரூ65.000/- (மொய் வழியில்

வந்தவை)

iii

துணி வகைகள்+ பட்டு புடவைகள்

iv

காஸ்மடிக் ஐட்டங்கள் (எல்லாம்)

v

சூட்கேஸ்-2

18. In view of the above, the fourth respondent is directed to seize the jewels which were given as dowry weighing 100 sovereigns of gold and a Volvo Car bearing Regn.No.TN-39-DH-3949 which was registered in the name of the deceased and the same may be handed over to the petitioner in accordance with law.

19. It is also revealed that now the committal proceedings is over and the trial Court had taken cognizance in S.C.No.74 of 2026 on the file of the Mahila Court, Thirupur and it is pending for trial. Further, the petitioner is permitted to mark the haddisk of the CCTV footage along with audio during the trial before the trial Court.

20. With the above directions, both the Criminal Original petitions are disposed of .

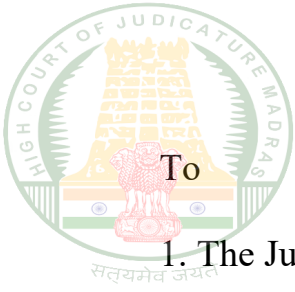
24-08-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

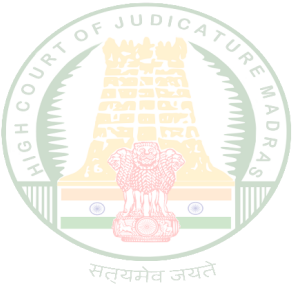
Vv



To

1. The Judicial Magistrate, Avinashi
2. The Mahila Court, Thirupur
3. The Deputy Superintendent of police
Avinashi Sub Division,
Tiruppur District.
4. The Superintendent of Police
Tiruppur Rural, Tiruppur,
Tiruppur District.
5. The Deputy Superintendent of Police
Cheyyur Police Station, Avinashi,
Tiruppur District,.
6. The Inspector of Police
Cheyyur Police Station,
Tiruppur District.
7. Sivakumar
Deputy Superintendent of Police,
Avinashi Sub Division,
Tiruppur District.
8. Mohanasundaram
Revenue Divisional Officer,
Tiruppur District.
9. The Public Prosecutor, High Court, Madras.

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CRL OP No. 20504 of 2



Order QR

G.K.ILANTHIRAIYAN J.

VV

**CRL OP No. 20504 of 2026
AND
CRL OP NO. 10560 OF 2026**

24-08-2026