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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved On: 16.10.2026

Delivered On: .11.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.MURUGESAN

CRL RC(MD)Nos.1665, 1684 & 1687 of 2026

CNR:{HCMD011504982026}

Case QR

and CRL MP(MD)Nos.22071, 22369 & 22374 of 2026

CRL RC(MD) No. 1665 of 2026

1.Anuradha

2.Priyadharshini ..Petitioners

Vs

1.Shakira

2.Durga

3.Hariharan @ Karan

4.Nithish

5.State Of Tamilnadu Rep By
Inspector Of Police,
City Crime Branch Police Station,
Tiruchirappalli City.

PRAYER: Criminal Revision filed under Section 438 r/w 442 BNSS, to call for the records and set aside the order passed by the learned Judicial Magistrate No.I, Trichy made in CRL MP No.6924/2026, dated 25.09.2026 and allow the above criminal revision petition.

For Petitioner : Mr.B.Jameelarasu

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For R5 : Mr.D.Venkatesh,
Additional Public Prosecutor

CRL RC(MD) No. 1684 of 2026

1.R.Durga

2.R.Hariharan @ Karan ..Petitioners

Vs

1.G.Gayathri

2.State Of Tamilnadu Rep By
Inspector Of Police,
City Crime Branch Police Station,
Tiruchirappalli

3. Anuradha

4. Priyadharshini

5. Nithish

PRAYER: Criminal Revision filed under Section 438 r/w 442 BNSS, to call for the records of the order dated 25.09.2026 made in Crl MP No.8478/2026 on the file of the Judicial Magistrate No.I, Tiruchirapalli and set aside the same as illegal insofar as the petitioners are concerned and allow the above criminal revision.

For Petitioner : Mr.M.Ajmal Khan,
Senior Counsel,
Assisted by Mr.Kalthaf Sheriff,
for M/S.Ajmal Associates

For R2 : Mr.D.Venkatesh,
Additional Public Prosecutor

For R1 : Mr.K.Sivabalan

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CRL RC(MD) No. 1687 of 2026

1.R.Durga

2.R. Hariharan @ Karan ..Petitioners

Vs

1.A.Shakira

2.The State of Tamil Nadu
Rep. by its the Inspector of Police,
City Crime Branch PS,
Thiruchirapalli.

3.Anuradha

4. Priya Dharshini

5. Nithish

PRAYER: Criminal Revision filed under Section 438 r/w 442 BNSS, to call for the records of the order dated 25.09.2026 made in Crl MP No.6924/2026 on the file of the Judicial Magistrate No.I, Tiruchirapalli and set aside the same as illegal insofar as the petitioners are concerned and allow the above criminal revision.

For Petitioner : Mr.M.Ajmal Khan,
Senior Counsel,
Assisted by Mr.Kalthaf Sheriff,
for M/S.Ajmal Associates

For R2 : Mr.D.Venkatesh,
Additional Public Prosecutor

For R1 : Mr.M.Vivek Bharathi

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COMMON ORDER

Crl RC(MD) No.1665 of 2026

Challenging the order dated 25.09.2026 of the Judicial Magistrate I, Tiruchirappalli, hereinafter referred to as 'the trial court', in Crl MP No.6924/2026, directing the 5th revision respondent, the Inspector of Police, City Crime Branch Police Station, Tiruchirappalli, to register FIR on the basis of the complaint of the 1st revision respondent, **Shakira**, and to investigate the complaint, the revision petitioners/A1 and A3, **Anuradha** and **Priyadharshini**, have filed this Criminal Revision Petition in **Crl RC(MD) No.1665 of 2026** under S.438 BNSS.

Crl RC(MD) No.1687 of 2026

Challenging the order dated 25.09.2026 of the Judicial Magistrate I, Tiruchirappalli, hereinafter referred to as 'the trial court', in Crl MP No.6924/2026, directing the 5th revision respondent, the Inspector of Police, City Crime Branch Police Station, Tiruchirappalli, to register FIR on the basis of the complaint of the 1st revision respondent, **Shakira**, and to investigate the complaint, the revision petitioners/A2 and A4, **Durga** and **Hariharan @ Karan**, have filed this Criminal Revision Petition in **Crl RC(MD) No.1687 of 2026** under S.438 BNSS.

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Crl RC(MD) No.1684 of 2026

Challenging the order dated 25.09.2026 of the Judicial Magistrate I, Tiruchirappalli, hereinafter referred to as 'the trial court', in Crl MP No.8478/2026, directing the 5th revision respondent, the Inspector of Police, City Crime Branch Police Station, Tiruchirappalli, to register FIR on the basis of the complaint of the 1st revision respondent, **Gayathri**, and to investigate the complaint, the revision petitioners/A2 and A4, **Durga** and **Hariharan @ Karan**, have filed this Criminal Revision Petition in **Crl RC(MD) No.1684 of 2026** under S.438 BNSS.

02. Inasmuch as a common question/issue runs through, all these three criminal revisions were heard jointly with the consent of all the parties.

03. Prefatory facts in Crl RC(MD) No**.1665 of 2026** and Crl RC(MD) No**.1687 of 2026**

(1) **Shakira**, the 1st revision respondent in both Crl RC(MD) No**.1665 of 2026** and Crl RC(MD) No**.1687 of 2026**, has filed before the trial court a criminal miscellaneous petition in Crl MP No.6924/2026 under S.175(3) BNS alleging

(a) that the revision petitioners in Crl RC(MD) No**.1665 of 2026** /A1 and A3, **Anuradha** and **Priyadharshini**, the revision petitioners in Crl RC(MD) No**.1687 of 2026/** A2 and A4, **Durga** and **Hariharan @ Karan**, and Nithish (A5), portraying themselves to be importers having huge business dealings in foreign countries, lured her and her family members to invest substantial amounts on the promise of high returns,

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(b) that therefore, she has invested a huge sum to the tune of Rs.2,91,00,000/- on various occasions,

(c) that the aforesaid accused did not chose to repay such amounts so invested, and

(d) that therefore, the aforesaid accused have committed the offences punishable under S.316(2), S.318(2) and S.318(4) BNS,

(e) that therefore, necessary direction needs to be issued to register a case accordingly, against the aforesaid accused,

that the trial court, after enquiry, has passed the impugned order in Crl MP No.6924/2026 directing the 5th revision respondent, the Inspector of Police, City Crime Branch Police Station, Tiruchirappalli, to register FIR on the basis of the complaint of the 1st revision respondent, **Shakira**, and to investigate the complaint.

(2) Challenging the impugned order of the trial court in **Crl MP No.6924/2026**, the revision petitioners/A1 and A3, **Anuradha** and **Priyadharshini**, have filed the Criminal Revision Petition in **Crl RC(MD) No.1665 of 2026**, and the revision petitioners/A2 and A4, **Durga** and **Hariharan @ Karan**, have filed the Criminal Revision Petition in **Crl RC(MD) No.1687 of 2026.**

04. Prefatory facts in Crl RC(MD) No**.1684 of 2026**

(1) **Gayathri**, the 1st revision respondent in Crl RC(MD) No**.1684 of 2026**, has filed before the trial court a criminal miscellaneous petition in Crl MP No.8478/2026 under S.175(3) BNS alleging

(a) that the revision petitioners/A2 and A4, **Durga** and **Hariharan @ Karan**, and other accused Anuradha (A1), Priyadharshini (A3) and Nithish (A5), portraying themselves to

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be importers having huge business dealings in foreign countries, lured her and her family members to invest substantial amounts on the promise of high returns,

(b) that therefore, she has invested a huge sum to the tune of Rs.4,35,00,000/- on various occasions,

(c) that the aforesaid accused did not chose to repay such amounts so invested,

(d) that therefore, the aforesaid accused have committed the offences punishable under S.316(2), S.318(2) and S.318(4) BNS, and

(e) that therefore, necessary direction needs to be issued to register a case accordingly, against the aforesaid accused,

that the trial court, after enquiry, has passed the impugned order in Crl MP No.8478/2026 directing the 5th revision respondent, the Inspector of Police, City Crime Branch Police Station, Tiruchirappalli, to register FIR on the basis of the complaint of the 1st revision respondent, **Gayathri**, and to investigate the complaint.

(2) Challenging the impugned order of the trial court in **Crl MP No.8478/2026**, the revision petitioners/A2 and A4, **Durga** and **Hariharan @ Karan**, have filed the Criminal Revision Petition in **Crl RC(MD) No.1684 of 2026.**

05. Heard both sides, and perused all the materials available.

06. Citing the decisions in TT Antony V State of Kerala ((2001) 6 SCC 181), Amitbhai Anilchandra Shah V CBI ((2013) 6 SCC 348), Babu Bhai V State of Gujarat ((2010) 12 SCC 254), Amish Devgan V Union of India ((2021) 1 SCC 1) and The State (NCT of Delhi) V

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Khimji Bhai Jadeja (2026 INSC 25), the learned counsel appearing for all the revision petitioners in Crl RC(MD) No**.1665 of 2026,** Crl RC(MD) No**.1687 of 2026** and Crl RC(MD) **No.1684 of 2026** would submit that on the complaint of one Beula, there is already a FIR in Cr No.41/2024 on the file of City Crime Branch Police Station, Tiruchirappalli, against Anuradha (A1) and Hariharan (A4) and 5 others for the offences punishable under S.417, S.420 and S.506 (i) IPC, that the allegations in the subsequent complaints of Shakira and Gayathri are substantially identical to the allegations in the aforesaid first FIR, that therefore, there cannot be any subsequent FIR in respect of the same cognizable offence, occurrence or transaction, that the subsequent complaint, if it contains further information concerning the same occurrence, can form part of the investigation in the first FIR, that since the offences indicated in the subsequent complaints of Shakira and Gayathri are found to have been committed in the course of same transaction, subsequent FIRs on the basis of the subsequent complaints of Shakira and Gayathri are not permissible, that such subsequent/successive FIRs would lead to multiple or repeated investigation, interrogation, seizure proceedings and criminal proceedings causing serious prejudice to the accused and that therefore, the impugned orders of the trial court in Crl MP No.6924/2026 and in Crl MP No.8478/2026 are erroneous and perverse, liable to be interfered with.

07. Learned Additional Public Prosecutor appearing for the 5th revision respondent would submit that the transactions referable to Beula, Shakira and Gayathri are three separate transactions disclosing distinct offences, that therefore, the offences against Beula, Shakira

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and Gayathri cannot be said or claimed to have been committed in the course of same transaction, that even though the accused are one and the same, and even though *modes operandi* appears to be similar, it does not, by itself, establish that all the incidents form part of the same transaction, that therefore, the impugned orders of the trial court do not suffer any sort of illegality or infirmity warranting the interference of this court and that therefore, all these three criminal revision petitions deserve for dismissal.

08. Lending a great support to the impugned orders of the trial court, the learned counsel appearing for **Shakira**, the 1st revision respondent in both Crl RC(MD) No**.1665 of 2026** and Crl RC(MD) No**.1687 of 2026**, and for **Gayathri**, the 1st revision respondent in Crl RC(MD) No**.1684 of 2026**, would submit that there are three different transactions, three different occurrences, three different victims and three different sets of offences, that therefore, such offences cannot be said or claimed to have been committed in the course of same transaction, that therefore, the impugned orders of the trial court are legal and sustainable and that therefore, all these three criminal revision petitions deserve for dismissal.

09. Except 1st and 5th revision respondents, other revision respondents are the other remaining accused.

10. Before delving deep into the discussions, this court would like to refer to the decisions relied on by the revision petitioners in these three criminal revisions.

(a) TT Antony V State of Kerala ((2001) 6 SCC 181) is a case

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where the Hon'ble Supreme Court has held as under:

'….. In our view a case of fresh investigation based on the second or successive FIRs, not being a counter case, filed in connection with *the same or connected cognizable offence alleged to have been committed in the course of the same transaction* and in respect of which pursuant to the first FIR either investigation is underway or final report under Section 173(2) has been forwarded to the Magistrate, may be a fit case for exercise of power under Section 482 Cr.P.C. or under Article 226/227 of the Constitution.' (italics supplied by this court)

(b) Amitbhai Anilchandra Shah V CBI ((2013) 6 SCC 348) is a case where the Hon'ble Supreme Court has held as under:

'52 (i) Administering criminal justice is a two-end process, where guarding the ensured rights of the accused under Constitution is as imperative as ensuring justice to the victim. It is definitely a daunting task but equally a compelling responsibility vested on the court of law to protect and shield the rights of both. Thus, a just balance between the fundamental rights of the accused guaranteed under the Constitution and the expansive power of the police to investigate a cognizable offence has to be struck by the court. Accordingly, the sweeping power of investigation does not warrant subjecting a citizen each time to fresh investigation by the police in respect of *the same incident, giving rise to one or more cognizable offences*. As a consequence, in our view this is a fit case for quashing the second F.I.R to meet the ends of justice.' (italics supplied by this court)

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(c) Babu Bhai V State of Gujarat ((2010) 12 SCC 254) is a case where the Hon'ble Supreme Court has held as under:

> '17…..Thus, it is quite possible that more than one piece of information be given to the Police Officer In- charge of the Police Station in respect of the same incident involving one or more than one cognizable offences. In such a case, he need not enter each piece of information in the Diary. All other information given orally or in writing after the commencement of the investigation into the facts mentioned in the First Information Report will be statements falling under Section 162 Cr.P.C. In such a case the court has to examine the facts and circumstances giving rise to both the FIRs and the test of sameness is to be applied to find out *whether both the FIRs relate to the same incident in respect of the same occurrence or are in regard to the incidents which are two or more parts of the same transaction*. If the answer is affirmative, the second FIR is liable to be quashed. However, in case, the contrary is proved, where the version in the second FIR is different and they are in respect of the two different incidents/crimes, the second FIR is permissible…..' (italics supplied by this court)

(d) In Amish Devgan V Union of India ((2021) 1 SCC 1), the Hon'ble Supreme Court, while dealing with 7 FIRs registered against the host/anchor *after the telecast of a debate show in TV on a particular day*, has held as under:

> '84…….. Section 186 of the Criminal Code relates to cases where two separate charge-sheets have been filed on the basis of

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separate FIRs and postulates that the prosecution would proceed where the first charge-sheet has been filed on the basis of the FIR that is first in point of time. Principle underlying section 186 can be applied at the pre-charge-sheet stage, that is, post registration of FIR but before charge-sheet is submitted to the Magistrate. In such cases ordinarily the first FIR, that is, the FIR registered first in point of time, should be treated as the main FIR and others as statements under Section 162 of the Criminal Code. However, in exceptional cases and for good reasons, it will be open to the High Court or this Court, as the case may be, to treat the subsequently registered FIR as the principal FIR.

(e) The State (NCT of Delhi) V Khimji Bhai Jadeja (2026 INSC 25) is also a case where the Hon'ble Supreme Court has held as under:

'19. We may note that Section 218(1) CrPC requires a distinct and separate charge for every distinct offence and each such separate charge should be tried separately. Sections 219 to 223 CrPC constitute exceptions to this general rule and stipulate the circumstances in which deviation therefrom can be made. Under Section 219 CrPC, three such offences committed during a year can be the subject matter of a single trial [now, five such offences, under Section 242 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)]. Under Sections 220(1) CrPC and 223(a) and (d) CrPC, consolidated charges can be framed against several accused persons in relation to several offences, *if such offences are committed during the course of the same transaction. It would, therefore, turn upon the offences forming part of the 'same transaction*'.

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20. As already noted hereinabove, precedential law has laid down triple tests, though not to be applied cumulatively, to decide when separate actions can be treated as part of the 'same transaction' – 1) unity of purpose and design; 2) proximity of time and place; and 3) continuity of action. These tests may be applied to ascertain whether a series of acts form part of the same transaction or not. It is not necessary at the present stage to consider whether consolidation of charges under Section 220(1) CrPC should be resorted to, as that would depend upon the opinion of the Magistrate on the strength of the findings recorded during the investigation. If it is opined that all the incidents partake of the same transaction, there can be one trial under Section 220(1) CrPC and Section 223(a) and (d) CrPC. If, however, *it is concluded that there are several transactions and distinct offences in relation to different victims, there have to be separate trials for each offence*, subject to Section 219 CrPC/ Section 242 BNSS, which allows the Trial Court to try three/five offences of the same kind committed within a year. Once all the incidents are taken to be part of the same transaction and amalgamated into one FIR, the punishment would follow accordingly as per law. (italics supplied by this court)

11. Very recently, the Hon'ble Supreme Court, in **Rutrij Bhagat Singh Wakhare V State of Maharashtra (2026 INSC 740/24.07.2026)**, has exemplified and demonstrated as under:

'**16**. Keeping in view the above exposition of law, we are unable to grant the relief of clubbing and consolidation of the subject FIRs, as sought in prayer (c) of the writ petition. In the present

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case, *each of the subject FIRs has been lodged by a different complainant who was allegedly induced to part with money on different occasions but with no live link or connectivity of transactions inter se different set of persons. The mere fact that a part of the defrauded amounts is alleged to have been transferred in the bank account of petitioner's proprietary concern does not, by itself, establish that all the incidents form part of the same transaction. Though the alleged modus operandi appears to be similar, the victims, the amounts involved, the transactions complained of and the consequences suffered are distinct. Prima facie, therefore, the subject FIRs relate to separate transactions disclosing distinct offences and cannot be said to arise out of the same transaction.*

17. The petitioner has also urged that, owing to his serious cardiac ailments and diabetic condition, it would be difficult for him to face proceedings in different States. While we are not oblivious to this fact, however, such difficulty cannot be a ground to direct clubbing of FIRs which otherwise disclose commission of distinct offences. On the other hand, clubbing the subject FIRs may cause hardship to the complainants as they would be forced to run from pillar to post to pursue their criminal complaints.' (italics supplied by this court)

12. Coming to this case on hand, the short question, therefore, is whether such three occurrences as alleged by **Beula**, **Shakira** and **Gayathri** can be claimed to have taken place 'in the course of same transaction'?

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13. On perusal of the records, this court finds that a FIR in Cr No.41/2024 on the file of City Crime Branch Police Station, Tiruchirappalli, has already been registered on 18.12.2024 as the consequence of the order of the trial court in Cr MP No.6610/2024 filed by Beula.

14. For the better appreciation of facts, the crux of the aforesaid three occurrences, as projected, is summarized as under:

(1) **Beula** is the resident of the house at 4th Main Road, Srinivasa Nagar, Tiruchirappalli, working in IIFL Finance. Anuradha and Hariharan being the customers of IIFL Finance visited Beula and lured her and her family members to invest substantial amounts on the false promise of high returns. Total amount so invested/paid by Beula on various dates is Rs.1,70,00,000/-. Return proposed on principal amount is 15% per month. Relevant period is from December 2021 to August 2023. Offences alleged are under S.417, S.420, S.506(i) IPC. Accused are Anuradha, Hariharan and 5 others. Order of the trial court is in Cr MP No.6610/2024.

(2) **Shakira** is the resident of the house at 8th West Extension, Thillai Nagar, Tiruchirappalli, running a beauty parlour. Anuradha, Priyadharshini, Durga being the customers of the beauty parlour lured her and her family members to invest substantial amounts on the false promise of high returns. Total amount so invested/paid by Shakira on various dates is Rs.2,91,00,000/-. Return proposed on principal amount is 10% per 10 days. Relevant period is from November 2023 to November 2025. Offences alleged are under S.316(2), S.318(2) and S.318(4) BNS. Accused are Anuradha, Durga, Priyadharshini,

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Hariharan @ Karan and Nithish. Order of the trial court is in Cr MP No.6924/2026.

(3) **Gayathri** is the resident of the house at Adaikala Madha Kovil Street, Kooni Bazaar, Bhima Nagar, Tiruchirappalli. Anuradha as a friend of Gayathri lured her and her family members to invest substantial amounts on the false promise of high returns. Total amount so invested/paid by Gayathri on various dates is Rs.4,35,00,000/-. Return proposed on principal amount is 10% - 15% per 15 days. Relevant period is from 2023 to May 2026. Offences alleged are under S.316(2), S.318(2) and S.318(4) BNS. Accused are Anuradha, Durga, Priyadharshini, Hariharan @ Karan and Nithish. Order of the trial court is in CrMP No.8478/2026.

(4) Anuradha, Durga, Priyadharshini, Hariharan @ Karan and Nithish are the residents of Shanmuga Nagar, Tiruchirappalli.

15. Pertinently speaking, this is not a case where the accused, sitting in a particular place or setting up an office, are said to have lured their customers to invest substantial amounts on the false promise of high returns and such customers are said to have visited such place/office and invested the amounts. *Per contra*, some of the accused are said to have visited the complainants, independently of each other, on various occasions, lured them to invest substantial amounts on the false promise of high returns, received amounts on various dates and threatened them as and when the complainants demanded the return of the amounts so paid/invested.

16. As held in Rutrij Bhagat Singh Wakhare V State of Maharashtra (supra), each of the complaints, in this case on hand, has

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been lodged by a different complainant who was allegedly induced to part with money on different occasions but with no live link or connectivity of transactions *inter se* different set of complainants and even though the alleged *modus operandi* appears to be similar, the victims, the amounts involved, the transactions complained of and the consequences suffered are distinct. *Prima facie*, therefore, the subject complaints relate to separate transactions disclosing distinct offences and cannot be said to arise out of the same transaction.

17. Resultantly, this court holds that such three occurrences as alleged by **Beula**, **Shakira** and **Gayathri** cannot be claimed to have taken place 'in the course of same transaction'.

18. Before parting with, this court, as a word of caution, would like to make it clear that any observation/finding given by this court in this common order shall not influence the decisions of the cases concerned.

19. In fine,

(a) the criminal revision in Crl RC(MD) No**.1665 of 2026** shall stand dismissed, upholding the order of the trial court in Crl MP No.6924/2026,

(b) the criminal revision in Crl RC(MD) No**.1687 of 2026** shall stand dismissed, upholding the order of the trial court in Crl MP No.6924/2026, and

(c) the criminal revision in Crl RC(MD) No**.1684 of 2026** shall stand dismissed, upholding the order of the trial court in Crl MP No.8478/2026.

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20. Pending applications, if any, in the aforesaid criminal revisions shall stand closed.

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To

1.The Judicial Magistrate No.I, Tiruchirapalli

2.The Inspector Of Police,
City Crime Branch Police Station,
Tiruchirappalli City.

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

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B.MURUGESAN, J.

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Pre-Delivery Order made in
CRL RC(MD)Nos.1665, 1684 &
1687 of 2026

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