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CRL OP No. 21533 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM:

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.OP.No.21533 of 2026
and CRL.MP.No.14318 of 2026

M.Damodaran

Rep. by his Power of Attorney, D.Mohan Raj,
70/8, Shanmuga Mudhali Street,
Saiyadhapuram, Vellore – 632 001.

..Petitioner(s)

Vs.

1. State rep. by the Secretary (Home Department),
Fort St.George, Chennai, Tamil Nadu-600 009.
2. The Director General of Police,
No.1, Kamarajar Salai, Mylapore,
Chennai, Tamil Nadu - 600 004.
3. The Superintendent of Police,
Anti-Land Grabbing Special Cell,
District Crime Branch, NH4, MBT Road,
Nagarathpete, Ranipet, Tamil Nadu – 632 403.
4. The Inspector of Police,
Arcot Police Station, Ranipet, Tamil Nadu.
5. The Central Bureau of Investigation
Rep. by its Joint Director,
III Floor, EVK Sampath Building,
College Road, Chennai – 600 006.

6. Syed Aslam Bhasha

..Respondent(s)



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Prayer: Criminal Original Petition filed under Section 528 of BNSS, praying to direct the respondents 1 to 4 to hand over and transfer the file regarding the complaint dated 25.03.2026 to the 5th respondent herein to investigate the complaint and to take appropriate action in accordance with law or to transfer the said file to a Special Investigation team under the supervision of a Senior IPS Officer, so as to investigate the illegal land grabbing complaint against the 6th respondent and to protect the petitioner's property situated at Survey No.4/1(old Survey No.1/1), measuring an extent of 30 cents, T.S.No.4/2(Old Survey No.1/1), measuring an extent of 3 acres 85 cents, T.S.No.5/1(old Survey No.1/2), measuring 9 acres 36 cents, T.S.No.5/2(old Survey No.1/2), measuring 43 cents, T.S.No.7(old Survey No.3), measuring 60 cents and T.S.No.1 [Old Survey No.8], measuring 3 acres 91 cents in Ward A, Block 2, Arcot Village (Veppur), Arcot Taluk, Vellore District (presently Ranipet District), originally admeasuring an extent of 18.45 acres of land and such as the 6th respondent.

For Petitioner(s): M/s.Vedhasri Narasa

For Respondent(s): Mr.Mohamed Riyaz, (for R1 to R4)
Government Advocate (Crl.Side)

ORDER

The prayer in this criminal original petition is for a direction to transfer the investigation of the complaint dated 25.03.2026, made by the



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petitioner, to the 5th respondent.

2. Upon hearing the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondents 1 to 4 and upon perusing the materials available on record, it is evident that the petitioner is complaining that he is the owner of the property and that certain persons, claiming to be members of the jamaat and asserting that the property is a waqf property, are interfering with his possession and enjoyment. It is further alleged that they are threatening the life and limb of the petitioner.

3. In view of the threats made, the petitioner stated that a case should have been registered and investigated by the respondent police. Since they have not done so, the petitioner has sought a transfer of the investigation to the 5th respondent/CBI.

4. Thus, it is clear that if the petitioner is aggrieved by the fact that no case has been registered based on his complaint, the remedy open to



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him as per the law laid down by the Hon'ble Supreme Court of India in ***Lalita Kumari Vs. Government of U.P. & Others (2014 (2) SCC 1)*** and the dictum of the Division Bench of this Court in ***G.Prabhakaran Vs. The Superintendent of Police (2018 2 LW (Crl.) 489)***, is to approach the appropriate Magistrate for the registration of the case. The question of transferring an investigation arises only post-registration.

5. With the aforesaid liberty reserved to the petitioner, this criminal original petition stands disposed of. Connected miscellaneous petition is closed.

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Neutral Citation: No

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- 1.The Secretary (Home Department),
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Chennai, Tamil Nadu - 600 009.
- 2.The Director General of Police,
No.1, Kamarajar Salai, Mylapore,
Chennai, Tamil Nadu - 600 004.
- 3.The Superintendent of Police,
Anti-Land Grabbing Special Cell,
District Crime Branch, NH4, MBT Road,
Nagarathpete, Ranipet, Tamil Nadu – 632 403.
- 4.The Inspector of Police,
Arcot Police Station, Ranipet, Tamil Nadu.
- 5.The Joint Director,
Central Bureau of Investigation
III Floor, EVK Sampath Building,
College Road, Chennai – 600 006.
- 6.The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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