



Crl.O.P.(MD)No.18018 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.18018 of 2024

Packiam @ Packia Thai

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2.The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
(Crime No.173 of 2024)

3.The Inspector of Police,
CBCID, Thoothukudi

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent herein to transfer the investigation in Crime No.173 of 2024 from the file of the second respondent to the file of the third respondent for conducting further investigation.

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



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ORDER

This criminal original petition has been filed seeking orders to direct the first respondent herein to transfer the investigation in Crime No.173 of 2024 from the file of the second respondent to the file of the third respondent for conducting further investigation.

2.It is not in dispute that on the basis of the complaint given by the petitioner, case in Cr.No.173 of 2024 came to be registered against four persons for the offences under Sections 296(b), 115(2), 351(2) BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. It is also not in dispute that on the basis of the complaint given by one Ayyammal, case in Cr.No.174 of 2024 came to be registered against the petitioner and four others for the offence under Sections 3(5), 296(b), 115(2), 351(2) BNS and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3.The learned Government Advocate(Crl.side) appearing for the respondents would submit that after registration of FIR in Cr.No.173 of 2024, the petitioner's son, who is A2 in Cr.No.174 of 2024, came to be



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arrested and released on Station bail and that the investigation is pending.

4.The learned counsel appearing for the petitioner would submit that there is no such occurrence happened as alleged in Cr.No.174 of 2024 whereas the petitioner's son was arrested and under incarceration for four days.

5.Recording the submissions made on either side, the second respondent is directed to proceed with the investigation in both cases, by taking note of the aspects now canvassed by the petitioner and follow the directions issued by the Hon'ble Full Bench of this Court in ***CrI.O.P.Nos. 4587 of 2023 (Batch) dated 08.08.2024*** and file the final report. The jurisdictional Deputy Superintendent of Police, Thoothukudi is directed to monitor the investigation in this case. Accordingly, this criminal original petition is disposed of.

21.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

gns

To

- 1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.
- 2.The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
- 3.The Inspector of Police,
CBCID, Thoothukudi.
- 4.The Deputy Superintendent of Police, Thoothukudi
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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