



Crl.O.P.(MD)No.18253 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.18253 of 2024

K.Kaliammal

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District.

2.The Deputy Superintendent of Police,
Sivagangai District.

3.The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.

4.The Inspector of Police,
Karaikkudi South Police Station,
Sivagangai District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to transfer the investigation in respect of the FIR in Crime No.92 of 2024 dated 18.09.2024 on the file of the third respondent to the fourth respondent or any other investigation agency and direct them to recover the gold jewels of the petitioner from the accused by securing them in his custody.



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For Petitioner : M/s.R.Karthika

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

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the first respondent to transfer the investigation in respect of the FIR in Crime No.92 of 2024 dated 18.09.2024 on the file of the third respondent to the fourth respondent or any other investigation agency and direct them to recover the gold jewels of the petitioner from the accused by securing them in his custody.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the respondents would submit that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.92 of 2024 on 18.09.2024 against five persons for the offences under Sections 189(2), 296(b), 115(2), 351(2) and 303(2) BNS and Section 4 of TN Prohibition of Harassment of Women Act, 2002, that the first accused is the son of the petitioner and the second accused is the wife of the first accused, that there existed



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family dispute between the parties and that after examination of witnesses, they came to know that the complaint is a false one and hence, they are going to file the charge sheet as 'Mistake of Fact' shortly before the jurisdictional Court.

3. Recording the same, this Criminal Original Petition stands disposed of. The petitioner is at liberty to take appropriate proceedings in the manner known to law.

23.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Superintendent of Police,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Sivagangai District.
- 3.The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.18253 of 2024

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