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CrI.O.P.No.2772 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No.2772 of 2025

Suganya

....

Petitioner

Vs

Inspector of Police,
Namakkal Police Station,
Namakkal District

....

Respondent

Prayer: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to transfer the investigation in Crime No. 447 of 2024 on the file of respondent police to some other competent agency.

For Petitioner : Mr.R.Vivekanathan

For Respondent : Mr.K.M.D.Muhilan
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed for transfer of the investigation in Crime No.447 of 2024 from the file of the respondent to some other competent agency.



Crl.O.P.No.2772 of 2025

WEB COPY

2. On instructions, the learned Government Advocate (Crl.Side) appearing for the respondent submitted that based on the complaint lodged by the petitioner, the respondent registered an FIR in Crime No.447 of 2024 for the offences under Sections 296(b), 115(2) and 351(2) of the Bharatiya Nayay Sanhita, 2023. He further submitted that the investigation is ongoing.

3. The learned counsel appearing for the petitioner would submit that there are some more accused persons involved in this case and even then the respondent failed to include them in the FIR.

4. In view of the above, if any specific allegations are made as against the persons who were left out while registering the FIR, the respondent shall register the FIR as against the excluded persons and alter the report. Therefore, on this sole ground, the investigation cannot be transferred to any other investigating agency.

5. With the above direction, this Criminal Original Petition stands disposed of.

04.02.2025

Lpp
Index: Yes/No
Internet: Yes/No



CrI.O.P.No.2772 of 2025

WEB COPY

1.The Inspector of Police,
Namakkal Police Station,
Namakkal District

2. The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.O.P.No.2772 of 2025

G.K.ILANTHIRAIYAN,J.

Lpp

CrI.O.P.No.2772 of 2025

04.02.2025