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Crl.O.P.No.6293 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.6293 of 2025

P.Divya

... Petitioner

Vs

State by: Inspector of Police,
W 32 All Women Police Station,
Madipakkam, Chennai.

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to transfer the Investigation pending in Cr.No.8 of 2022 on the file of the respondent Police to any other Investigating Agency within a Time Frame.

For Petitioner : Mr.R.C.Manoharan

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



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ORDER

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This petition has been filed to transfer the investigation pending in Crime No. 8 of 2022 from the file of the respondent Police to any other investigating agency for a fair and proper investigation.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. On the complaint lodged by the petitioner, the respondent registered an FIR in Crime No. 8 of 2022 for the offences punishable under Section 498(A), 406, and 354A of IPC as against two accused persons. The first accused filed anticipatory bail petitions before this Court on two occasions and both the petitions were dismissed. In fact, it was also confirmed by the Hon'ble Supreme Court of India and specifically directed the first accused to surrender and apply for regular bail before the Trial Court. The Trial Court, on the surrender of the accused, granted bail on own bond. Therefore, the respondent acted in a biased manner and shielded the accused without securing them.



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4. The learned Government Advocate (Crl. Side) appearing for the

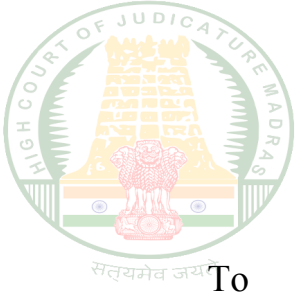
respondent submitted that, while investigating, the petitioner was served notice on two occasions and even then, she did not appear before the respondent. Now, the entire investigation is almost completed and they are about to file a final report. At this stage, if the investigation is transferred from the file of the respondent to any other investigating agency, it would affect the entire investigation done by the respondent.

5. In view of the above, the respondent is directed to complete the investigation and file a final report within a period of eight weeks from the date of receipt of a copy of this order. The Assistant Commissioner, Madipakkam, Chennai, is directed to monitor the investigation done by the respondent.

6. With the above directions, this Criminal Original Petition is disposed of.

06.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kv



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To
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1. The Inspector of Police,
W 32 All Women Police Station,
Madipakkam, Chennai.

2. The Public Prosecutor,
High Court, Madras.

Copy to

The Assistant Commissioner,
Madipakkam, Chennai.



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G.K.ILANTHIRAIYAN. J,

kv

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