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CrI.O.P.No. 6664 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2025

CORAM:

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

CrI.O.P.No.6664 of 2025

P.Parthiban

... Petitioner

Vs.

1.Deputy Inspector General of Police,
Vellore – Circle,
Annasalai,
Vellore 632 001.

2.The Superintendent of Police,
O/o Superintendent of Police,
Sathuvachari, Vellore District,
Vellore 632 009.

3.Inspector of Police,
Vellore Taluk Police,
Vellore 632 102.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to transfer the investigation in Crime No.231 of 2024 on the file of the third respondent to any other investigation officer or investigation agency.



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For Petitioner : Mr.S.Makesh

For Respondents : Mr.A.Gopinath,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed praying to transfer the investigation in Crime No.231 of 2024, on the file of the third respondent, to any other Investigating Officer or investigating agency.

2. The learned counsel for the petitioner submitted that, based on the complaint lodged by the petitioner, the third respondent registered a case in Crime No.231 of 2024 for the offences punishable under Sections 294(b) and 323 of the IPC as against the accused persons. However, it is contended that though there is specific allegation made against the first accused, he was arrested and was immediately released on bail.

3. The learned Government Advocate (Criminal Side) submitted that there are totally four accused in the said case. It is further submitted that the first accused, upon his surrender, was granted bail and was



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subsequently released. As far as Accused Nos.2 to 4 are concerned, it is submitted that they are senior citizens and were, therefore, issued notice under Section 41A of the Criminal Procedure Code and were enquired accordingly. It is submitted that the investigation has been completed in full and the final report is about to be filed. At this stage, the transfer of investigation from the third respondent would adversely affect the investigation already undertaken.

4. Heard both sides and perused the materials placed before this Court.

5. In view of the above submissions and considering that the investigation has been completed and the final report is about to be filed, this Court is of the considered view that there is no justifiable reason to transfer the investigation from the file of the third respondent to any other agency or Investigating Officer. Accordingly, this Criminal Original Petition stands dismissed. However, the third respondent is directed to complete the investigation and file the final report within a



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period of four weeks from the date of receipt of a copy of this order. The second respondent is directed to monitor the investigation being carried out by the third respondent.

10.03.2025

Neutral citation : Yes/No
Speaking/non-speaking order
shk



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To
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1.The Deputy Inspector General of Police,
Vellore – Circle,
Annasalai,
Vellore 632 001.

2.The Superintendent of Police,
O/o Superintendent of Police,
Sathuvachari, Vellore District,
Vellore 632 009.

3.The Inspector of Police,
Vellore Taluk Police,
Vellore 632 102.

4. The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN, J.



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