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Crl.O.P.No.8137 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8137 of 2025

Vignesh

... Petitioner

Versus

The State Rep. by

1. The Superintendent of Police - Cuddalore,
Office of the Superintendent of Police,
Manjakuppam,
Cuddalore - 607 001.

2. The Inspector of Police,
Panruti Police Station,
Cuddalore District.
(Cr.No.318 of 2023)

3. The Superintendent of Police,
CBCID Wing,
Cuddalore District.

... Respondents

PRAYER : Criminal Original Petition filed under Article 528 of BNSS, 2033, to issue a direction to the 1st respondent Police to transfer the investigation pending in Crime No.318 of 2023 from the file of the 2nd Respondent to the 3rd Respondent or any other specialized agency considering the nature, gravity and seriousness of the offence and further



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direct them to complete the investigation in a specified time that this Court may deem fit and proper considering the facts and circumstances of the case.

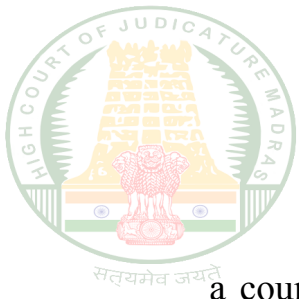
For Petitioner : Mr. V.S. Senthil Kumar

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the first respondent to transfer the investigation pending in Crime No.318 of 2023 from the file of the second respondent to the third respondent or any other specialized agency, and consequently, to complete the investigation within a specific time that may be fixed by this Court.

2. Based on the complaint lodged by the petitioner, second respondent registered a case in Crime No.318 of 2023 for the alleged offences under Sections 294(b), 323, and 506(i) of IPC., and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, and the investigation is ongoing. At the same time, on the very same occurrence,



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a counter-complaint has also been filed, which was registered in Crime No.317 of 2023 for the alleged offences under Sections 294(b), 323, 324 and 506(ii) of IPC, which is also pending investigation on the file of the second respondent.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. After hearing both sides and perusing the records, it appears that the petitioner's complaint is a counter-complaint, and the entire investigation in both crime numbers is about to be completed, transferring the investigation to any other investigating agency from the file of the second respondent would affect the entire investigation, and it cannot fall under the guidelines of the Police Standing Order 566, at this stage. Therefore, this Court is not inclined to transfer the case to any other agency.



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5. However, this Court directs the second respondent to complete the investigation in both Crime No.317 of 2023 and Crime No.318 of 2023 as per the guidelines of Police Standing Order 566, within a period of 12 weeks from the date of receipt of a copy of this order.

6. With the above observation and direction, this Criminal Original Petition is disposed of.

20.03.2025

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes : No

klt

To

1. The Superintendent of Police - Cuddalore,
Office of the Superintendent of Police,
Manjakuppam,
Cuddalore - 607 001.
2. The Inspector of Police,
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3. The Superintendent of Police,
CBCID Wing,
Cuddalore District.

4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN,J.

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