



Crl.O.P.No.8954 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM:

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

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M.Kuppan

... Petitioner

Vs

- 1.The State rep. By
The Director General of Police,
Police Head Quarters,
Chennai 600 004.
- 2.The Superintendent of Police,
Kancheepuram District,
Kancheepuram, Tamil Nadu.
- 3.The Sub-Inspector of Police,
G-2 Uthiramerur Police Station,
Uthiramerur, Kancheepuram District.
- 4.The Additional Director General of Police,
Crime Branch CID, Chennai.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 528 of BNSS Act, 2023/Section 482 of Cr.P.C., to direct the first respondent to transfer the investigation in Crime No.47 of 2025 dated 17.02.2025 pending



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with the third respondent to an independent agency, preferably the fourth respondent.

For Petitioner : Mr.R.Chitti Babu
For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed for direction directing the first respondent to transfer the investigation in Crime No.47 of 2025 dated 17.02.2025 pending with the third respondent to an independent agency, preferably the fourth respondent.

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

3. On the complaint lodged by the petitioner, the third respondent registered FIR in Crime No.47 of 2025 for the offences punishable under Sections 331(4) and 305(a) of BNS, 2023, for the allegation that the jewels and other valuables were stolen by the accused from the house of the petitioner.



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4. The only ground raised by the petitioner is that though the petitioner name some suspected persons in his complaint, the third respondent failed to add the accused in Column No.7 of the FIR.

5. It is a case of theft of jewels and cash. Therefore, the accused cannot be named in the FIR on suspicion ground. Only after completion of preliminary enquiry and recovery, the accused will be named in the crime. Therefore, it is not the ground for transfer of investigation from the file of the third respondent. That apart, the crime has been registered only on 17.02.2025.

6. In view of the above, this Court finds no reason to transfer the investigation in Crime No.47 of 2025 on the file of the third respondent to any other investigation agency. However, the third respondent is directed to complete the investigation in Crime No.47 of 2025 and file a final report, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. Accordingly, this Criminal Original Petition is dismissed.

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Index: Yes/No
Speaking Order: Yes/No
mn

To

1. The Director General of Police,
Police Head Quarters,
Chennai 600 004.
2. The Superintendent of Police,
Kancheepuram District,
Kancheepuram, Tamil Nadu.
3. The Sub-Inspector of Police,
G-2 Uthiramerur Police Station,
Uthiramerur, Kancheepuram District.
4. The Additional Director General of Police,
Crime Branch CID, Chennai.
5. The Public Prosecutor,
High Court, Madras.

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G.K.ILANTHIRAIYAN,J.

mn

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