



Crl.O.P.No.11328 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 17.04.2025

CORAM:

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

Crl.O.P.No.11328 of 2025

Mahendran

... Petitioner

Vs

1. The Superintendent of Police,
Ariyalur District,
Ariyalur.
2. The Inspector of Police,
CBCID,
Min Nagar,
Ariyalur.
3. The Deputy Superintendent of Police,
Jayankondam Division,
Ariyalur District.
4. The Inspector of Police,
Jayankondam Police Station,
Ariyalur District.
(In Crime No.89 of 2025)

... Respondents

Prayer: Criminal Original Petition filed under 528 of BNSS., 2023 to issue a direction to the first respondent to transfer the investigation of the case in



Crl.O.P.No.11328 of 2025

Crime No.89 of 2025 from the file of the fourth respondent to the file of the second respondent herein.

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For Petitioner : Mr.P.Parthikannan

For Respondents : Mr.A.Gopinath,
Govt. Advocate (Crl. Side)

ORDER

This petition has been filed to direct the first respondent to transfer the investigation of the case in Crime No.89 of 2025 from the file of the fourth respondent to the file of the second respondent herein.

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

3. On the complaint lodged by the petitioner, the fourth respondent registered the First Information Report in Crime No.89 of 2025 for the offences punishable under Sections 191(2), 329(4), 296(b), 351(3), and 303(2) of BNS and Section 3 of the TN Public Property (Prevention of Damages & Loss) Act, 1992.



Crl.O.P.No.11328 of 2025

WEB COPY

4. The learned counsel for the petitioner would submit that even after registration of the First Information Report, the fourth respondent did not take any action against the accused persons. Utilizing the said circumstances, the accused trespassed into the house of the petitioner and started to remove all the roof tiles and brought a JCB vehicle and destroyed the entire house. In fact, the petitioner also lodged a complaint before the Human Rights Commission.

5. The learned Government Advocate (Crl.Side) appearing for the respondents would submit that there are totally six accused and after registration of the First Information Report, two accused were arrested and remanded to judicial custody, and the other four accused obtained anticipatory bail. He would further submit that now the investigation is in progress and the crime was registered only on 07.03.2025. At this stage, if the investigation is transferred to any other agency, it would affect the entire investigation done by the fourth respondent.



Crl.O.P.No.11328 of 2025

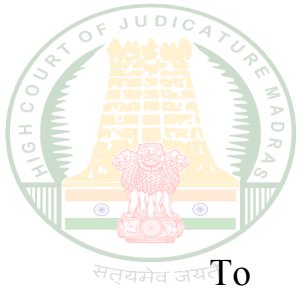
6. In view of the above, the fourth respondent is directed to consider

the subsequent events and complete the investigation and file a final report within a period of twelve weeks from the date of receipt of a copy of this order. The third respondent is directed to monitor the investigation done by the fourth respondent and shall ensure that the fourth respondent complies with the directions issued by this Court.

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

17.04.2025

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



Crl.O.P.No.11328 of 2025

To

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Ariyalur.
2. The Inspector of Police,
CBCID,
Min Nagar,
Ariyalur.
3. The Deputy Superintendent of Police,
Jayankondam Division,
Ariyalur District.
4. The Inspector of Police,
Jayankondam Police Station,
Ariyalur District.
5. The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.11328 of 2025

G.K.ILANTHIRAIYAN. J.

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Crl.O.P.No.11328 of 2025

17.04.2025