



Crl.O.P.No. 11120 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM:

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

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Sindhupriya

..... Petitioner

Vs

1.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai-600 004.

2.The Superintendent of Police,
District Police Station,
Salem District,
Salem-636 002.

3.The Deputy Superintendent of Police,
Vazhapadi Sub-Division,
Vazhapadi,
Salem District.

4.The Inspector of Police,
All Women Police Station,
Vazhapadi,
Salem District.
Cr.No.09/2025.

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to transfer the investigation



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of the case in Crime No.9 of 2025 from the file of the Inspector of Police, All Women Police Station, Vazhapadi, Salem District to the Crime Branch-Criminal Investigation Department (CB-CID) or any other specialized investigating agency

For Petitioner : Mr.G.Pugazhenth

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

ORDER

This Criminal Original Petition has been filed seeking transfer of investigation in Crime No.9 of 2025 from the file of the fourth respondent to CBCID.

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

3. The petitioner is the victim. Pursuant to her complaint, the fourth respondent registered an FIR in Crime No.9 of 2025 for the offences punishable under Sections 417, 376(2)(m) of IPC. Thereafter, no investigation is under progress.



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4. Initially, though the petitioner lodged a complaint, no FIR was registered. Only after the intervention of the higher officials and also a direction issued by the Chief Minister's Special Cell, an FIR was registered invoking Sections 417, 376(2)(m) of IPC. It is pertinent to note that the alleged incident occurred when the petitioner was a minor. Therefore, the learned counsel for the petitioner sought for transfer of investigation from the file of the fourth respondent to CBCID.

5. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that the offences have been altered to Sections 5(I) r/w 6(1) of the POCSO Act as against the accused. The fourth respondent had insisted the petitioner to arrive at a compromise with the accused. However, the accused has obtained anticipatory bail. Under such circumstances, if there is a transfer of investigation from the file of the fourth respondent, the entire investigation already done by the fourth respondent would be affected.

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



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respondent is directed to monitor the investigation conducted by the fourth respondent and must ensure that the direction issued by this Court is duly complied with by the fourth respondent.

7. With the above direction, this Criminal Original Petition stands disposed of.

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

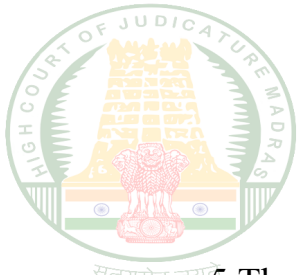
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5. The Public Prosecutor,
High Court, Madras.



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