



Crl.O.P.No.12122 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2025

CORAM:

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

Crl.O.P.No.12122 of 2025

Nanthagopal

... Petitioner

Vs

1. The Superintendent of Police,
Thiruvannamalai District.

2. The Inspector of Police,
Arni Taluk Police Station,
Thiruvannamalai District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 482 of Cr.P.C, to transfer the investigation in Crime No.683 of 2024 from the file of the second respondent to some other investigation officer and to expedite the investigation.

For Petitioner : Mr.G.Ilamurugu

For R1 and R2 : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.683 of 2024 from the file of the second respondent to some other investigation officer and to expedite the investigation.



2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the first and second respondents and perused the materials placed on record.

3. The learned counsel for the petitioner would submit that the FIR in Crime No.683 of 2024 is pending on the file of the second respondent for the past six months without any progress. That apart, though other offences are clearly attracted as against the accused, the second respondent registered the FIR only for the offences punishable under Sections 296(b), 115(2) and 118(1) of BNS, 2023.

4. On instructions, the learned Government Advocate (Crl.side) appearing for the respondents submitted that a counter complaint was also lodged as against the petitioner and the same has been registered in Crime No.682 of 2024 for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 and the same is also pending for investigation.

5. In view of the above, at this juncture, if the investigation is transferred to any other investigating agency, it would affect the entire



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investigation already done by the second respondent. Therefore, this Court is not inclined to transfer the investigation in Crime No.683 of 2024 from the file of the second respondent to any other investigating agency.

6. Therefore, the second respondent is directed to complete the investigation in Crime Nos.683 and 682 of 2024 after following the procedure as contemplated under Section 566 of the Police Standing order and file a final report, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that if any incriminating material is available as against the accused in Crime No.683 of 2025, the second respondent is directed to alter the offences and file a final report.

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

23.04.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Superintendent of Police,
Thiruvannamalai District.
2. The Inspector of Police,
Arni Taluk Police Station,
Thiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

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