



WEB COPY



W.P.No. 15448 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2025

CORAM:

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

W.P.No.15448 of 2025

Ravisankar

... Petitioner

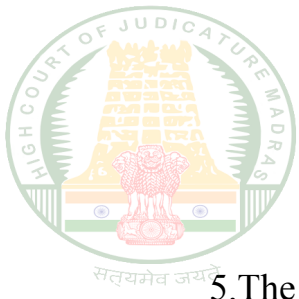
Vs.

1.The State of Tamilnadu,
Rep. by the Principal Secretary to Government,
Home Department,
St.George Fort,
Secretariat,
Chennai 600 009.

2.The Director General of Police,
Head of Police Force,
Mylapore,
Chennai 600 004.

3.The Superintendent of Police,
District Police Office,
Cuddalore,
Cuddalore District.

4.State by
The Inspector of Police,
Chidambaram Taluk Police Station,
Cuddalore District.
(Crime No.211 of 2021)



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5. The Inspector of Police,
CBCID Police Station,
Cuddalore,
Cuddalore District.

..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the fifth respondent police to transfer the investigation in Crime No.211 of 2021 on the file of fourth respondent to the fifth respondent for fair and proper investigation.

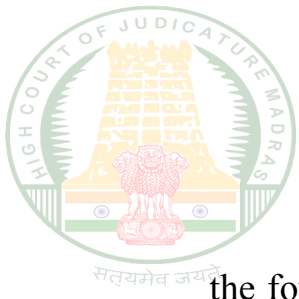
For Petitioner : Mr.K.Balu

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

ORDER

This petition has been filed seeking a direction to the fifth respondent police to transfer the investigation in Crime No.211 of 2021 on the file of the fourth respondent to the file of the fifth respondent for a fair and proper investigation.

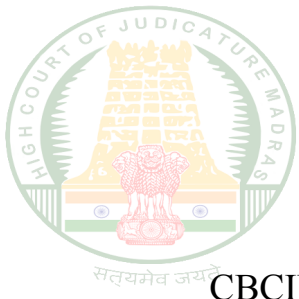
2. On the basis of a complaint lodged by the petitioner alleging that the accused had assaulted him and abused him using filthy language,



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the fourth respondent police registered an FIR in Crime No.211 of 2021 for the offences punishable under Sections 294(b), 506(ii), 468, and 420 of IPC. Initially, though the accused had lodged a complaint as against the petitioner, the fourth respondent did not register any FIR. Consequently, the accused approached the learned Judicial Magistrate No.I, Chidambaram, by filing a petition in CrI.M.P.No.86 of 2023, seeking a direction to the fourth respondent to register the FIR. Pursuant to the order dated 20.02.2023 passed by the learned Magistrate, the fourth respondent registered an FIR in Crime No.65 of 2023 for the offences punishable under Sections 143, 427, 380, and 451 of IPC. That apart, prior to lodging the above complaint, the accused had filed a civil suit for permanent injunction in O.S.No.75 of 2021 on the file of the Principal District Munsif Court, Chidambaram, based on a fabricated lease agreement allegedly forged with the petitioner's signature. The said suit was dismissed for default on 21.03.2024. Only thereafter, the accused lodged the complaint. Subsequently, the accused filed a petition before this Court in CrI.O.P.No.4410 of 2024 seeking transfer of investigation in Crime No.65 of 2023 from the fourth respondent to the



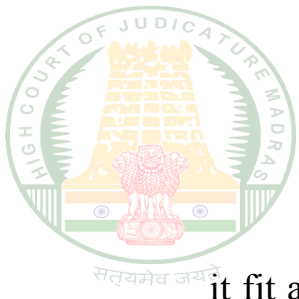
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CBCID. This Court, by an order dated 05.02.2025, transferred the investigation in Crime No.65 of 2023 to the file of the fifth respondent. Now, the petitioner seeks transfer of the investigation in Crime No.211 of 2021, which is presently on the file of the fourth respondent, to the file of the fifth respondent.

3. The learned counsel for the petitioner submitted that, since the investigation in Crime No.65 of 2023 has already been transferred to the fifth respondent for proper investigation, it would be in the interest of justice to similarly transfer the investigation in Crime No.211 of 2021 to the fifth respondent. It was further submitted that allowing the fourth respondent to continue with one investigation while the other stands transferred would create prejudice and raise questions about impartiality, hence, he prays for transfer of investigation.

4. The learned Government Advocate (crl.side) submitted that the investigation in Crime No.211 of 2021 is presently pending with the fourth respondent. However, he fairly submitted that if this Court deems



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it fit and proper to transfer the investigation to ensure fairness, the same may be directed in accordance with law.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (crl. side) and perused the materials available on record.

6. Considering the facts and circumstances of the case, particularly the fact that this Court has already transferred the investigation in Crime No.65 of 2023 based on the accused's complaint to the fifth respondent vide order dated 05.02.2025, and in the interest of fair and impartial investigation, this Court is of the view that the investigation in Crime No.211 of 2021, arising out of the petitioner's complaint, should also be transferred to the file of the fifth respondent. If both complaints, arising out of interlinked facts and allegations between the same parties, are investigated by different agencies, it may cause prejudice to the petitioner and hamper the integrity of the investigation. Therefore, to avoid any miscarriage of justice and to maintain parity and consistency,



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the investigation in Crime No.211 of 2021 is hereby withdrawn from the file of the fourth respondent and transferred to the file of the fifth respondent.

7. Accordingly, the fourth respondent is hereby directed to hand over the entire case diary and all connected records pertaining to Crime No.211 of 2021 to the fifth respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the case records, the fifth respondent is directed to proceed with the investigation in accordance with law and complete it expeditiously.

8. In the result, this Writ Petition stands allowed. No costs.

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Neutral citation : Yes/No
Speaking/non-speaking order
shk



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To

1.The Principal Secretary to Government,
Home Department,
St.George Fort,
Secretariat,
Chennai 600 009.

2.The Director General of Police,
Head of Police Force,
Mylapore,
Chennai 600 004.

3.The Superintendent of Police,
District Police Office,
Cuddalore,
Cuddalore District.

4.The Inspector of Police,
Chidambaram Taluk Police Station,
Cuddalore District.

5.The Inspector of Police,
CBCID Police Station,
Cuddalore,
Cuddalore District.

6. The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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