



CrI.O.P.No.18288 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.18288 of 2025

T.Easwaran

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the SP of Police,
Tiruppur – 641 603,
Tiruppur District.

2. The Inspector of Police,
Alangiyam Police Station,
Tiruppur District,
Crime No.85 of 2025.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to direct the first respondent to transfer the investigation in Crime No.85 of 2025 pending on file with the second respondent at Alangiyam Police Station, Tiruppur District, to any other a competent investigating officer for a fair with law, as expeditiously as possible, within a reasonable period.

For Petitioner : Mr.P.Kalimuthu



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For Respondent : Mr.S.Vinoth Kumar
Government Advocate (CrI.Side)

ORDER

The Criminal Original Petition is filed seeking a direction to the first respondent-Police to transfer the investigation in Crime No.85 of 2025 pending on file of the second respondent-Police to any other competent investigating agency.

2. Learned counsel for the petitioner submitted that the petitioner is the absolute owner of the subject property and one Sivamani, has unlawfully encroached upon the land of the petitioner and has been using it for a rental business, including tea stalls and vehicle parking for JCBs, tipper trucks and tractors. Such unauthorised occupation had resulted in destruction of coconut saplings, leading to financial loss to the petitioner. While that being so, on 01.05.2025, one Prabhu unlawfully trespassed into the petitioner's farm and damaged the property and also physically attacked the petitioner and also threatened the petitioner.



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3. Hence, based on the complaint of the petitioner, the second respondent-Police registered a case in Crime No.85 of 2025 for the offences punishable under Sections 296(b), 115(2) and 381(2) of the BNSS, 2023. He further submitted that after the occurrence, the petitioner had handed over the case evidence i.e., JCB machine, its key and the operator's mobile phone to the second respondent. However, due to political influence, the second respondent-Police returned the aforesaid property/material evidence to the opposing party. Therefore, the petitioner has given a representation to the first respondent, requesting fair and expeditious investigation and to file final report, but no action has been taken and hence, the present petition has been filed.

4. Learned Government Advocate (Crl.Side) appearing for the respondent-Police, on instructions, submitted that the investigation in Crime No.85 of 2025 is over and final report was also filed before the learned Judicial Magistrate, Dharapuram on 07.06.2025 and the same was taken on file in C.C.No.234 of 2025.



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5. Recording the above submission, the Criminal Original Petition

is dismissed, with liberty to the petitioner to work out his remedy in the manner known to law, if so advised.

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Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Judicial Magistrate,
Dharapuram.
2. The Superintendent of Police,
Office of the SP of Police,
Tiruppur – 641 603,
Tiruppur District.
3. The Inspector of Police,
Alangiyam Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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