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Crl.O.P.No.18433 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.18433 of 2025

M.Vasanthi

... Petitioner

Vs.

1. The Commissioner of Police,
Chennai City,
Vepery, Chennai.

2. The Inspector of Police,
Kodungaiyur Police Station,
Pulianthope,
Chennai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to transfer the investigation in Crime No.558 of 2024 dated 10.08.2024 on the file of the 2nd respondent and entrust with CBCID or any other agency for the purpose of investigation.

For Petitioner : Mr.K.Jayaraman

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)



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ORDER

WEB COPY The Criminal Original Petition is filed to transfer the investigation in Crime No.558 of 2024 dated 10.08.2024 on the file of the 2nd respondent and entrust the same with CB CID or any other agency for the purpose of investigation.

2. The grievance of the petitioner is that she had given a complaint way back in the year 2019 against Gopal, Rajan and Vadivu, for which the second respondent-Police issued C.S.R.No.877 of 2019, but the second respondent-Police refused to register the same. Therefore, she approached the learned X Metropolitan Magistrate by way of filing a petition in Crl.M.P.No.32657 of 2024 invoking Section 175(3) of the BNSS Act, 2023 and sought a direction to the second respondent-Police to register the said complaint. The learned Magistrate, *vide* order dated 05.07.2024 directed the second respondent-Police to register the complaint dated 23.06.2019. Thereafter, the second respondent-Police registered an FIR in Crime No.558 of 2024 for the offences punishable under Sections 409 and 420 IPC and Section 4(1) of the Chit Funds Act, 1982. Nevertheless, the investigation has not progressed adequately to



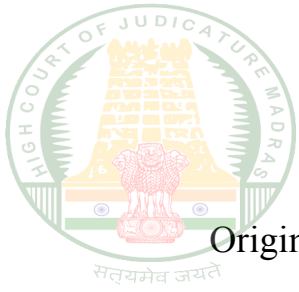
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recover the funds from the accused. Hence, the petitioner filed the present petition seeking to transfer the investigation from the file of the second respondent-Police herein to the file of the CB CID.

3. Learned Government Advocate (Crl.Side) appearing for the respondent-Police, on instructions, submitted that the investigation is under progress and final report will be filed within a period of one month.

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

5. It is seen from the records that the petitioner had already approached the learned Magistrate and sought for a direction to the second respondent-Police to register the complaint dated 23.06.2019 and based on the directions of the learned Magistrate, the second respondent-Police registered the complaint as Crime No.558 of 2024 and the investigation is under progress. Therefore, this Court does not find any ground to transfer of investigation from the file of the second respondent-Police herein to the file of the CB CID. Hence, the Criminal



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Original Petition is dismissed. However, the respondent/Police is directed to expedite the investigation in Crime No.558 of 2024 and file a charge sheet as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order, since the complaint was filed in the year 2019 in C.S.R.No.877 of 2019.

03.07.2025

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

1. The Commissioner of Police,
Chennai City,
Vepery, Chennai.
2. The Inspector of Police,
Kodungaiyur Police Station,
Pulianthope,
Chennai.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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