



CrI.O.P.No.21341 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.21341 of 2025

M.Kalyani

... Petitioner

Vs.

The Inspector of Police
T-14 Mangadu Police Station
Chennai - 600 122
Crime No.493 of 2025

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to transfer the investigation in Crime No.493 of 2025 dated 20.06.2025 pending on the file of the respondent police to any competent authority.

For Petitioner	: Mr.J.N.Naresh Kumar
For Respondent	: Mr.S.Vinoth Kumar
	Government Advocate (CrI. Side)



Cr.O.P.No.21341 of 2025

ORDER

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This Criminal Original Petition has been filed by the petitioner to transfer the investigation in Crime No.493 of 2025 dated 20.06.2025 for the offences under Sections 296(b), 115(2), 126(2) of BNS and 4 of TNPHW Act, pending on the file of the respondent police to any competent authority.

2. The learned counsel for the petitioner submitted that on 18.06.2025, when the petitioner and her daughter had gone to her son-in-law's house to take back the belongings of her daughter as per the advise of the Women's Commission, the petitioner's daughter's husband and in-laws assaulted them terribly and they hit the petitioner's hand with the doors. Immediately, she lodged a complaint and rushed to the hospital. After enquiry, the case was registered in Crime No.493 of 2025 on 20.06.2025. Though the petitioner had sustained grievous injuries in the said incident and also admitted in the hospital for four days, the respondent police colluded with the accused and instead of registering the case for the offence under Section 117 BNS, they have



Crl.O.P.No.21341 of 2025

registered the case for the offence under Section 115(2) of BNS, which itself

would show that the respondent police colluded with the accused. Further, the accused have not obtained any anticipatory bail. However, the respondent police have not secured the accused. Therefore, if the respondent police is allowed to continue the investigation, they will not conduct a fair investigation and the petitioner would not get real justice. Hence, the investigation may be transferred to some other agency.

3. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner appeared before the police and she only gave a statement that she sustained injury due to hit in the door. He further submitted that the investigation is pending and after collecting medical records, the offences would be altered if necessary.

4. Heard both sides and perused the materials available on record.

5. Admittedly, based on the complaint given by the petitioner, the respondent police have registered the case in Crime No.493 of 2025 for the



Cr.O.P.No.21341 of 2025

offences under Sections 296(b), 115(2), 126(2) of BNS and 4 of TNPHW Act.

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The said case has been registered only on 20.06.2025. Therefore, this Court is not inclined to entertain this petition.

6. However, the respondent police is directed to expedite the investigation, collect the medical records, secure the accused and file the charge sheet within a period of two months from the date of receipt of a copy of this order.

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

30.07.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

ksa-2



CrI.O.P.No.21341 of 2025

To

1. The Inspector of Police
T-14 Mangadu Police Station
Chennai - 600 122

2. The Public Prosecutor
High Court of Madras, Chennai



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CrI.O.P.No.21341 of 2025

P.VELMURUGAN,J.

Ksa-2

CrI.O.P.No.21341 of 2025

30.07.2025