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CRL OP No. 22641 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 22641 of 2025

1. MR.Ubaidullah Maraikayer
S/o.Abdul Azeez, Flat No.D-93, DLF
Commanders Court, 49, Ethiraj Salai,
Egmore, Chennai-600008

Petitioner(s)

Vs

1. State rep

The Commissioner of Police No.132, EVK Sampath Building Vepery, Greater
Chennai Chennai-600006.

2.Home, Prohibition and Excise Department

The Inspector of Police, Cyber Crime Police Station, CCD-1, Chennai East,
Chennai -600031 (Crime No.24 of 2025)

3.The Superintendent of Police,

CBCID Office,
No.220, Pantheon Road,
Egmore, Chennai - 08.

Respondent(s)



PRAYER : Petition filed under Section 528 of BNSS, to issue a direction to transfer the investigation in Crime No.24 of 2025 on the file of 2nd Respondent to 3rd Respondent CB-CID or any other fair agency to conduct further investigation in accordance with law.

For Petitioner(s): M/s.L.Infant Dinesh
A.John-ms/638/2011
A.John
V.K.Ginesh

For Respondent: Mr.R.Vinoth Raja, Govt. Advocate (Crl.Side)

ORDER

This Petition has been filed to issue a direction to transfer the investigation in Crime No.24 of 2025 on the file of 2nd Respondent to 3rd Respondent CB-CID or any other fair agency to conduct further investigation in accordance with law.

2. The transfer of investigation has been sought after filing FIR in Cr.No.24 of 2025 for the offences under Section 79, 308(2) of BNSS, 2023 and 67B of Information Technology Act, 2000. The crux of the FIR is the accused has morphed the photo of the petitioner's daughter and circulated in the social media.

3. The learned Government Advocate (Crl.Side) appearing for the respondents on instructions submitted that the mobile phone has been collected and sent to Forensic Department and on the complaint lodged against the



accused, he was arrested and produced before the Judicial Magistrate.

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4. The petitioner cannot as a matter of right seek to transfer the investigation. As far as this case is concerned, the investigation has to be completed expeditiously. The allegation with regard to morphing of photo requires forensic evidence. The gadgets and other materials have been seized and sent for examination. In such view of the matter, the police shall conduct investigation in all scientific manner and with the materials seized and complete the investigation as expeditiously as possible.

5. Accordingly, this Criminal Original Petition is disposed of.

18-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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1.State rep

1.The Commissioner of Police No.132,
EVK Sampath Building Vepery, Greater
Chennai Chennai-600006.

2.Home, Prohibition and Excise
Department

The Inspector of Police, Cyber Crime
Police Station, CCD-1, Chennai East,
Chennai -600031 (Crime No.24 of
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3.The Superintendent of Police, CBCID
Office, No.220, Pantheon Road,
Egmore, Chennai-08.

4.The Public Prosecutor,
Madras High Court.



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N.SATHISH KUMAR J.

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