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CRL OP No. 22785 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. 22785 of 2025

1. SARAVANAN

S/o.Sampath, No.12, Kandasamy Koil
Street, Bandarachettyatti,
Thippireddihalli, Pappireddipatti,
Dharmapuri District.

Petitioner(s)

Vs.

1. The State Rep by, The
Superintendent of Police,
Dharmapuri District, Dharmapuri.

2.The Inspector of Police,
All Women Police Station, Dharmapuri,
Dharmapuri District. Cr.No.32/2025.

Respondent(s)

PRAYER :_Petition filed under Section 528 of BNSS, to direct the 1st respondent police to transfer the investigation in Cr.No.32/2025 pending on the file of the 2nd respondent police to Inspector of Police, CBCID, Dharmapuri, Dharmapuri District.

For Petitioner(s): E.Kannadasan
 R.Thulasi
 S.Priyadarshini
 A.Ajay



T.Madhanraj
P.Agens Samantha Ophelie

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

ORDER

This Petition has been filed to direct the 1st respondent police to transfer the investigation in Cr.No.32/2025 pending on the file of the 2nd respondent police to Inspector of Police, CBCID, Dharmapuri, Dharmapuri District.

2. According to the petitioner, the minor child was kidnapped by the accused and also committed sexual harassment. A complaint has been filed. However, no investigation has been completed.

3. The learned Government Advocate (Crl.Side) appearing for the respondents on instructions would submit that the victim has been examined by the learned Judicial Magistrate and she has given a statement that her parents instigated to give a false complaint against the accused in view of the civil dispute. He further submitted that the investigation was closed on 30.06.2025 as mistake of fact.

4. The copy of the 164 statement has also been produced before this Court. The statement clearly shows that how the POCSO Act has been misused in a civil dispute. In such view of the matter, seeking such a direction is abuse of



law. It is for the respondent police to take necessary action as per law for filing police complaint against the petitioner for misusing the POCSO Act.

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5. Accordingly, this Criminal Original Petition is dismissed.

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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of Police,
Dharmapuri District, Dharmapuri.

2.The Inspector of Police,
All Women Police Station, Dharmapuri,
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N.SATHISH KUMAR J.

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