



Crl.O.P.No.23459 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.23459 of 2025

K.Sivakumar

... Petitioner

Vs.

1. The State represented by,
The Commissioner of Police,
Avadi City, Gate -2,
Armed Reserve Complex,
Poonamallee, Thiruvallur District,
Tamil Nadu – 600 123.

2. The Assistant Commissioner of Police (SRMC),
SRMC Ranch, Ambattur, Chennai,
Tamil Nadu – 600 056.

3. The Inspector of Police,
Mangadu Police Station,
Chennai – 600 122.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to transfer the investigation in Crime No.639 of 2015 dated 13.06.2015 pending on the file of the third respondent Police to the CBCID police or any investigation agency.

For Petitioner : Mr.S.Purushothaman

For Respondents : Mr.R.Vinothraja
Government Advocate (Criminal Side)



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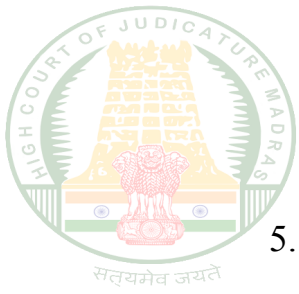
ORDER

WEB COPY This Criminal Original Petition has been filed seeking to transfer the investigation in Crime No.639 of 2015, pending on the file of the third respondent Police to some other investigating agency.

2. It is the grievance of the petitioner that despite the complaint registered in the year 2015 for the offences under Sections 454 & 380 of IPC, till date, the investigation has not proceeded further till date. Hence, the present petition has been filed seeking transfer of the case from the file of the third respondent to some other agency.

3. Learned Government Advocate (Criminal Side) submitted that the First Information Report in Crime No.639 of 2015 was closed as 'undetected' in the year 2016 itself and that the RCS was also served on the de facto complainant on 10.12.2016.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.



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5. In view of the above, it is for the petitioner to seek remedy in the manner known to law. Further, since this is a theft case, the Investigating Officer is directed to keep a check on the First Information Report and ensure that wherever the accused is found, the investigation in this case shall properly be conducted. Merely because the First Information Report has been closed, the same will not give licence to terminate the entire proceedings itself.

6. With the above direction, the Criminal Original Petition is disposed of.

25.08.2025

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Neutral Citation: Yes/No

To

1. The Commissioner of Police,
Avadi City, Gate -2,
Armed Reserve Complex,
Poonamallee, Thiruvallur District, Tamil Nadu – 600 123.
2. The Assistant Commissioner of Police (SRMC),
SRMC Ranch, Ambattur, Chennai,
Tamil Nadu – 600 056.
4. The Inspector of Police,
Mangadu Police Station, Chennai – 600 122.
3. The Public Prosecutor, High Court of Madras.

N. SATHISH KUMAR, J.

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