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Crl.O.P.No.25903 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No. 25903 of 2025

Kavitha

... Petitioner

Vs.

1. The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai – 600 007.

2. The Inspector of Police,
K-5, Peravallur Police Station,
Chennai – 600 066,
Crime No.195 of 2024.

3. Sowmiya
4. Gokulnath

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to direct transfer of investigation in Crime No.195 of 2024 on the file of K-5 Peravallur Police Station, Chennai, to any other competent police station.

For Petitioner : Mr.Velmurugan Parthiban
For Respondents : Mr.R.Vinoth Raja
Government Advocate (Crl.Side)
for R1 and R2

ORDER



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This Criminal Original Petition has been filed seeking a direction to transfer of investigation in Crime No.195 of 2024 on the file of K-5 Peravallur Police Station, Chennai to any other competent police station.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents 1 and 2- Police and perused the materials available on record.

3. The petitioner seeks transfer of investigation in Crime No.195 of 2024 registered for the offences punishable under Sections 460, 420, 294(b) and 506(i) IPC against the accused (A1 and A2) from the file of the second respondent-Police to any other competent agency on the ground that the accused have already approached this Court in Crl.O.P.No.30324 of 2024 seeking anticipatory bail and this Court by an order dated 12.12.2024 directed the accused to deposit a sum of Rs.5,00,000/- to the credit of Crime No.195 of 2024 within a period of three weeks, however, they have not complied with the directions of this Court and the said petition was dismissed for non-prosecution on 02.04.2025. Even on the earlier occasion also they have not complied



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with the directions of this Court in Crl.O.P.No.17821 of 2024 dated 24.07.2024. Despite repeated defaults by the accused, the second respondent-Police have not taken any effective steps to secure them. Hence, the present petition.

4. At the outset, this Court is of the view that merely because, the accused have not complied with the bail conditions imposed on them that may not be a ground to transfer the investigation from the file of the second respondent-Police to any other competent agency. It is for the petitioner to file an appropriate application to cancel the bail bond, and he cannot file a petition seeking transfer of investigation. However, the second respondent-Police is hereby directed to expedite the investigation and file a final report as expeditiously as possible.

5. With the above observation, this Criminal Original Petition is disposed of.

22.09.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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Chennai – 600 007.
2. The Inspector of Police,
K-5, Peravallur Police Station,
Chennai – 600 066.
3. The Public Prosecutor,
High Court, Madras.



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N. SATHISH KUMAR, J.

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