



CrI.O.P.No.30703 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.01.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.30703 of 2024

K.Sivaraman

... Petitioner

Vs.

State Rep. by

The Inspector of Police

Thiruporur Police Station, Chengalpet District

Crime No.255 of 2024

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to transfer the investigation of the case registered in Crime No.255 of 2024 on the file of the respondent herein to some other appropriate investigating agency more preferably to C.B.C.I.D.

For Petitioner : Mr.P.Chandrasekar

For Respondent : Mr.S.Sugendran

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner/defacto complainant to transfer the investigation of the case registered in Crime



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No.255 of 2024 on the file of the respondent herein to some other appropriate investigating agency more preferably to C.B.C.I.D.

2. The learned counsel for the petitioner submitted that based on the complaint given by the petitioner, the respondent police registered the case in Crime No.255 of 2024 against one Thandavamoorthy and his men for abusing and attacking the petitioner and his brother. The contention of the petitioner is that the respondent police is supporting the accused and also using the CCTV footages taken from the petitioner's office, against the petitioner and infavour of the accused. Therefore, if the Investigation Officer where the case is pending conducts the investigation, there may not be a fair investigation. Therefore, the investigation has to be transferred.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that both the petitioner and the accused belong to a same political party and due to personal motive, they attacked each other and both of them gave complaints based on which, FIRs have been registered against each



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other in Crime Nos.255 of 2024 and 256 of 2024 on 10.08.2024. He further

submitted that the respondent police is not supporting any of the persons and based on the materials only, they are conducting the investigation.

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

5. Since it is a case of case in counter, this Court is not inclined to transfer the case.

6. The respondent police is directed to conduct the investigation and file charge sheet as per the guidelines given by the Larger Bench of this Court in ***T.Balaji and Another Vs. State***, reported in (2024) 3 MLJ (Crl.) 458.

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

22.01.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

WEB COPY

1. The Inspector of Police
Thiruporur Police Station
Chengalpet District
2. The Public Prosecutor
High Court of Madras



WEB COPY



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P.VELMURUGAN. J.

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