



Crl.O.P.(MD)No.994 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.994 of 2025

S.M.Suresh Kumar

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by the Superintendent of Police,
Madurai District.

2. The Deputy Superintendent Of Police,
Usilampatti, Madurai.

3. The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District..

4. The Inspector of Police,
CBCID Madurai District, Madurai.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to withdraw the investigation in Crime No. 329 of 2024 pending on the file of the 3rd respondent of police and transfer the same and entrust the investigation to the 4th respondent police with direction to investigate the case in accordance with law.



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For Petitioner : Mr.K.Prabhu
For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to withdraw the investigation in Crime No. 329 of 2024 pending on the file of the 3rd respondent of police and transfer the same and entrust the investigation to the 4th respondent police with direction to investigate the case in accordance with law.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents. Perused the materials available on record.

3.The contention of the petitioner based on the direction of the of this Court, an FIR has been registered in Cr.No.329 of 2024 and the Deputy Superintendent of Police has conducted the investigation. The petitioner now apprehended that FIR would be closed by the respondent police without conducting proper investigation. Though the petitioner has went to the office of 2nd respondent to inform him that on his side there are



5 witnesses to corroborate his statement and video recording is also available in the form of pen drive, he was refused to meet the petitioner.

4.The learned Additional Public Prosecutor submitted that in this case investigation is in crucial stage and the same is going to be closed as 'mistake of fact'. So far, the petitioner has not produced any statement of witnesses or pen drive in support of his contention. It is revealed from the investigation done by the SC/ST Commission that the petitioner has used this case as a tool to collect back the fees and donation from the Management, which was paid at the time of College admission for his daughter, since the petitioner's daughter fell sick admitted in the hospital and could not continue her education in the said College. Only for the purpose of extortion of money from the Management, such a wild allegations have been made by the petitioner against the Management. Now, the petitioner has received back the donation amount and substantial fees amount from the Management. Only an amount of Rs.60,000/- is withheld by the Management, since the petitioner's daughter studied for certain period. If the petitioner has any vital documents to support his contentions, the 2nd respondent is ready to receive the same and conduct investigation in that regard.



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5.In view of the same, the petitioner is directed to produce the supporting witnesses and the pen drive showing the audio-video recording before the Deputy Superintendent of Police, Usilampatti, Madurai/2nd respondent on 31.01.2025, without fail and the 2nd respondent is directed to collect the materials and investigate the matter in a proper manner, before concluding the investigation.

6.With the above directions, the petition stands disposed of.

22.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
PNM

To

1. The Superintendent of Police,
Madurai District.

2. The Deputy Superintendent Of Police,
Usilampatti, Madurai.

3. The Inspector of Police,
Usilampatti Taluk Police Station, Madurai District..

4. The Inspector of Police,
Cbcid Madurai District, Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M.NIRMAL KUMAR,J.

PNM

ORDER IN
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