



Crl.O.P(MD)No.1999 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.1999 of 2025

Selvi

... Petitioner

Vs.

1.The State of Tamil Nadu through,
The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
All Women Police Station - Palani,
Dindigul District.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023 to direct the first respondent to transfer the investigation in connection with the Crime No.43 of 2024 on the file of the second respondent to any other competent investigation agency and to pass such further or other orders as this Court.

For Petitioner : Mr.A.Balaji
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

This Criminal Original Petition is filed by the petitioner to direct the first respondent to transfer the investigation in connection with the Crime No. 43 of 2024 on the file of the second respondent to any other competent investigation agency.

2. According to the petitioner, the petitioner's husband obtained loan from one Jeyachandran @ Ashok. He was unable to repay the said amount since the exorbitant interest was charged. Therefore, the said Jeyachandran and his partner Balamurugan often harassed the petitioner as well as her husband. While so, on 01.11.2024, at about 01.00 PM in the absence of husband of the petitioner, the said Jeyachandran @ Ashok and Balamurugan along with five other persons came to the petitioner's home and trespassed into the house, threatened and humiliated the petitioner. Thereafter, she informed the same to her husband and they lodged a complaint before the second respondent police. On the very next day (i.e.,) 02.11.2024, CSR No.747 of 2024 was issued. Thereafter, FIR has been registered belatedly on 16.11.2024 in Crime No.43 of 2024 for the offences under Section 191(2) 329(4), 296(b), 115(2) and 76 of

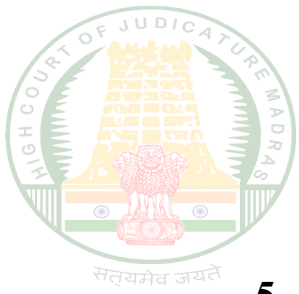


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BNS, 2023 and Section 4 of TNPHW Act, 2002. Even after the registration of FIR, still the accused persons are threatening the petitioner as well as her husband. Therefore, the representation, dated 21.11.2024 was sent to the first respondent to transfer the investigation from the second respondent to any other competent person, but the same has not been considered. Hence, the present petition.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that without admitting the allegations levelled against the second respondent, the Deputy Superintendent of Police is ready to monitor the case of investigation and the case cannot be transferred to some other agency without any valid reasons.

4. This Court also perused the records and there is no serious allegations made against the second respondent and the only contention of the petitioner is that they lodged a complaint on 02.11.2024 but the FIR has been registered belatedly after 15 days, except this no other allegations levelled against the investigation agency.



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5. As rightly contended by the learned Additional Public Prosecutor for the respondents, the Deputy Superintendent of Police, Palani is directed to monitor the investigation of this case.

6. Accordingly, this Criminal Original Petition stands disposed of.

04.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Superintendent of Police,
The State of Tamil Nadu
Office of the Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police,
All Women Police Station - Palani,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Deputy Superintendent of Police,
Palani.



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P.DHANABAL, J.

BTR

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