



Crl.O.P.(MD) No.2640 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD) No.2640 of 2025

A. Selvakumar

... Petitioner

Vs

1. The Superintendent of Police,
Madurai,
Madurai District.

2. The Deputy Superintendent of Police,
District Crime Branch,
Madurai District.

3. The Deputy Superintendent of Police,
Umachikulam,
Madurai District.

4. The Inspector of Police,
Othakadai Police Station,
Madurai District.

5. Muthulakshmi,
The Tahsildar,
Usilampatti Taluk,
(Election Branch)
Madurai District.

6. A. Malaisamy

7. M. Poomari

... Respondents



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PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to transfer the investigation from the 4th respondent to the 2nd respondent for taking necessary steps upon the petitioner's complaint dated 26.11.2024.

For Petitioner : Mr.S.Sukumar

For Respondents :

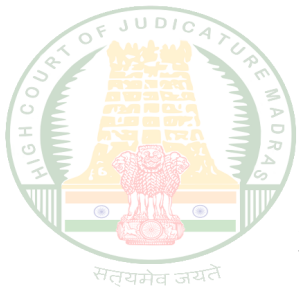
For R1 to R4 : Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed by the petitioner to transfer the investigation from the 4th respondent to the 2nd respondent for taking necessary steps upon the petitioner's complaint dated 26.11.2024.

2. According to the petitioner, he lodged a complaint before the 1st respondent / Superintendent of Police and the same was forwarded to the 4th respondent to conduct enquiry. In fact, considering the nature of the complaint, the 1st respondent ought not to have forwarded the petition to the 2nd respondent, but the same was forwarded to the 4th respondent. Therefore, the 2nd respondent is the competent person to enquire the matter and the matter has to be transferred from the 4th respondent to the 2nd respondent. Therefore, he filed this petition.



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3. The learned Government Advocate (Criminal Side) appearing for the respondents no.1 to 4 would submit that the petitioner has lodged a complaint before the 1st respondent and the same was forwarded to the 4th respondent and now, the same is under enquiry. They will dispose the representation of the petitioner dated 26.11.2025 within in a week.

4. Since the matter is under enquiry, the petitioner cannot seek to transfer the investigation as a matter of right. It is for the 4th respondent to enquiry the matter and if the matter is to be enquired by the 2nd respondent, it is for the 4th respondent to forward the same to the 2nd respondent. Thereafter, the 4th respondent is directed to dispose the petition in accordance with law within fifteen (15) days from the date of this Order.

5. With the above said observation and direction, this Criminal Original Petition is disposed of. No costs.

13.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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P.DHANABAL, J.

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To

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4. The Inspector of Police,
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Madurai District.

5. Muthulakshmi,
The Tahsildar,
Usilampatti Taluk,
(Election Branch)
Madurai District.

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

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