



Crl.O.P(MD)No.2555 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.2555 of 2025

Rengammal

... Petitioner

Vs

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

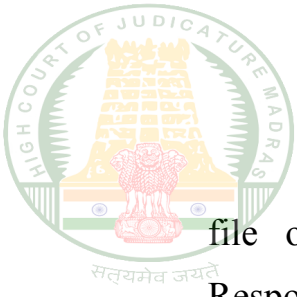
2. The Deputy Superintendent Of Police,
Gandarvakottai,
Pudukkottai,
Pudukkottai District.

3. The Inspector of Police,
CBCID,
Pudukkottai,
Pudukkottai District.

4. The Inspector of Police,
Gandarvakottai Police Station,
Pudukkottai,
Pudukkottai District.
Crime No. 128/2019.

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to transfer the investigation in Crime No. 128 of 2019 on the



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file of the Inspector of Police, Gandarvakottai Police station/4th Respondent herein to the file of the 3rd respondent or to any other higher officer under the direct supervision of the first respondent herein.

For Petitioner : Mr.C.Suresh Kannan,

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to transfer the investigation in Crime No. 128 of 2019 on the file of the Inspector of Police, Gandarvakottai Police station/fourth Respondent herein to the file of the third respondent or to any other higher officer under the direct supervision of the first respondent herein.

2.According to the petitioner, she is the defacto complainant in this case and based on his complaint, an FIR in Crime No.128 of 2019 was registered for the offences under Sections 294(b), 355, 323 and 506(2) of IPC and thereafter, without conducting proper investigation,



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the fourth respondent closed the complaint as mistake of fact and filed a final report and thereafter, this Court passed order in Crl.O.P(MD)No. 19549 of 2023 by directing the fourth respondent to further investigate the matter and based on the same, no further investigation was conducted. Hence this petition.

3.The Government Advocate (Crl.Side) appearing for the respondent police would submit that in this case, based on the order passed by this Court in Crl.O.P(MD)No. 19549 of 2023, the respondent police reopened the investigation and obtained wound certificate on 26.02.2025 and now, the case is pending at the stage of completion of investigation. Therefore, final report will be filed within a short span of time. Since the investigation is pending, at this stage, there is no necessity to transfer the investigation.

4.Heard both sides and perused the records.

5.The main grievance of the petitioner is that the earlier the same investigation officer has closed the petitioner's complaint as mistake of fact and again the same investigation officer is investigating the case.



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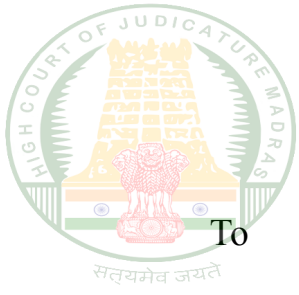
Therefore, the case has to be transferred. According to the respondent police, already the investigation officer has obtained wound certificate and after completing the investigation, final report will be filed within a short span of time. Therefore, the reinvestigation is going on in a fair manner and the case need not to be transferred to some other investigation agency at this stage.

6.In view of the above, the fourth respondent is directed to complete the investigation and file final report within a period of one month from the date of this order.

7.With the above direction, this criminal original petition is disposed of.

26.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR



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To

WEB COPY

1. The State of Tamil Nadu,
Rep by the Superintendent of Police,
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Pudukkottai District.
2. The Deputy Superintendent Of Police,
Gandarvakottai,
Pudukkottai,
Pudukkottai District.
3. The Inspector of Police,
CBCID,
Pudukkottai,
Pudukkottai District.
4. The Inspector of Police,
Gandarvakottai Police Station,
Pudukkottai,
Pudukkottai District.
Crime No. 128/2019.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

LR

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