



Crl.O.P(MD).No.2675 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 08.04.2025

CORAM:

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD).No.2675 of 2025

S.Faizal Azar Ali

.. Petitioner

Vs.

1.The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Madurai District.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

3.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.
Crime No.221 of 2024

.. Respondents

Prayer : Petition is filed under Section 528 of BNSS to direct the third respondent to withdraw the investigation against the accused persons namely Muthuraman, Vaiyalingampillai in Crime No.221 of 2024 on the file of the third respondent police station and transfer the same to the second respondent or any other investigation agencies.

For Petitioner : Mr.S.Manoj Kumar

For Respondents : Mr.M.Karunanithi

Government Advocate (Crl.side)



WEB COPY



Crl.O.P(MD).No.2675 of 2025

ORDER

This petition is filed by the petitioner seeking to transfer the investigation of case in Crime No.221 of 2024 on the file of the third respondent police and entrust the same to the second respondent for further investigation.

2. According to the petitioner, he is the defacto complainant in this case and based on his complaint, case in Crime No.221 of 2024 was registered for the offences under Sections 420, 294(b) and 506(1) of IPC and thereafter, the third respondent has not conducted a proper investigation and not even taken step to secure the accused. Therefore, he sent a representation on 31.01.2025. So far, no action has been taken. Hence, this petition.

3. The learned Government Advocate (crl.side) appearing for the respondents, on instructions, submits that in this case, based on the complaint lodged by the petitioner, a case in Crime No.221 of 2024 was registered for the offences under Sections 420, 294(b) and 506(1) of IPC. Thereafter, the third respondent is conducting investigation and the same



Crl.O.P(MD).No.2675 of 2025

is pending and they will complete the investigation as early as possible and also take steps to secure the accused within a short span of time.

WEB COPY

4. The contention of the petitioner is that the respondents have not taken steps to arrest the accused, hence, he seeks transfer of investigation. Non-arrest of the accused persons, is not a ground for seeking transfer of investigation.

5. Considering the prayer sought for in this petition, recording the submission of the learned Government Advocate (crl.side), this Court directs the third respondent to conduct a fair investigation in Crime No. 221 of 2024 and complete the same in accordance with law, as early as possible without any delay.

6. With the above direction, this Criminal Original Petition is disposed of.

08.04.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
Rmk



Crl.O.P(MD).No.2675 of 2025

WEB COPY

To:

- 1.The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Madurai District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 3.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD).No.2675 of 2025

P. DHANABAL,J.

Rmk

Crl.O.P(MD).No.2675 of 2025

08.04.2025