



Crl.O.P(MD)No.2785 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.2785 of 2025

Nagamani

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram.

3.The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S. Act, 2023, to transfer the investigation agency in the respect of the Crime No.225 of 2024, dated 06.11.2024 on the file of the third respondent to any other investigation agency or any other of competent officer for fair investigation in the interest of justice and pass such further or other orders as this Court.



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For Petitioner : Mr.G.Sakthi Rao

For Respondents : Mr.M.Sakthi Kumar
Government Advocate

ORDER

This Criminal Original Petition has been filed by the petitioner to transfer the investigation in respect of the Crime No.225 of 2024, dated 06.11.2024 on the file of the third respondent to any other investigation agency or any other competent officer for fair investigation.

2. According to the petitioner, the petitioner is the de facto complainant in this case and based on the complaint, an FIR has been registered in Crime No.225 of 2024 for the offences under Sections 189(2), 296(b), 115(2), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. Thereafter, the third respondent has not taken any steps to conduct fair investigation and counter complaint also lodged by one of the accused as against this petitioner. But no effective steps have been taken to complete the investigation. Therefore, the petitioner prayed to transfer the case to some other agency.



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3. The learned Government Advocate appearing for the respondents would submit that this petitioner is the de facto complainant in Crime No.225 of 2024 and based on the complaint given by the opposite party, a counter case also registered in Crime No.226 of 2024, where the petitioner is one of the accused. Therefore, an FIR has been registered on 06.11.2024 and now the investigation is going on. One of the third accused in this case is in abroad. They are taking steps to secure him and both the cases are under investigation. Thereby, seeks two months time to complete the investigation.

4. In this case, the main contention of the petitioner is that no effective investigation is conducted and no final report is filed so far. According to the respondents, the investigation is pending. Since there are case and counter case and also one of the accused in this case is in abroad and the police are taking steps to secure the accused and thereby, unable to complete the investigation.

5. Considering the representation of both sides Counsel and considering that one of the accused is in abroad and the respondents also taking steps to secure him and also considering the facts and circumstances of the case and though already for the past three months the investigation is pending, this Court



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directs the third respondent to complete the investigation and to file final report as early as possible, preferably, within two months from the date of this order.

6. With the above said observations, this Criminal Original Petition stands disposed of.

17.02.2025

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

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram.
- 3.The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

BTR

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