



Crl.O.P.(MD)No.3509 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :25.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

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... Petitioner

Vs.

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

2. The Deputy Superintendent of Police, Vallioor,
Tirunelveli District.

3. The Inspector of Police,
All Women Police Station,
Vallioor,
Tirunelveli District.

4. The Inspector of Police,
Vallioor Police Station,
Tirunelveli District.

5. Subbulakshmi

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the 1st respondent to transfer the investigation in the complaint Ref. No. FLA25009119 dated 06.01.2025 from the 3rd respondent to the 4th respondent or to any other competent agency and proceed the investigation in accordance with law.



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For Petitioners : Mr.M.Laxmi Mahendraa

For R-1 to R-4 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent to transfer the investigation in the complaint dated 06.01.2025 from the 3rd respondent to the 4th respondent or to any other competent agency.

2. According to the petitioner, he lodged a complaint as against the 5th respondent, who is the wife of the petitioner, but the 3rd respondent has not conducted proper enquiry. Therefore, he seeks transfer of the investigation in the complaint of the petitioner dated 06.01.2025.

3. The learned Government Advocate (Criminal) appearing for the respondents no.1 to 4 would submit that there is a matrimonial dispute pending between the petitioner and the 5th respondent and thereby, he lodged a complaint and the same is under enquiry. Already a case in H.M.O.P.No. 88 of 2022 before the Subordinate Court, Valliyoor is also pending. After lodging of the complaint, the petitioner has not appeared before the respondent police and when the 4th respondent police went to the

<https://www.mhc.tn.gov.in/> place of address mentioned in the petition, the petitioner was not present



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and if the petitioner appears for enquiry, they will take appropriate steps to complete the enquiry.

4. Since the respondent police are conducting enquiry based on the complaint given by the petitioner, the petitioner is directed to appear before the 3rd respondent on 27.02.2025. There are no specific allegations levelled as against the 3rd respondent to conduct the enquiry, therefore this Court is declined to accept the request of the petitioner to transfer the case and the 3rd respondent is directed to complete the enquiry within one week after the appearance of the petitioner.

5. With the above said observations and direction, this Criminal Original Petition stands disposed of.

25.02.2025

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

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To

- 1.The District Superintendent of Police,
Tirunelveli District.
2. The Deputy Superintendent of Police, Vallioor,
Tirunelveli District.
3. The Inspector of Police,
All Women Police Station,
Vallioor,
Tirunelveli District.
4. The Inspector of Police,
Vallioor Police Station,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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25.02.2025