



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.02.2025

CORAM

THE HONOURABLE **MR.JUSTICE P. DHANABAL**

CrI.O.P(MD)No.3287 of 2025

M.Visumoorthy

... Petitioner

Vs

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

2. The Inspector of Police,
Sawyerpuram Police Station,
Sawyerpuram,
Thoothukudi District.
Crime No. 38/2021.

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to pass an order directing the respondent no.1 to transfer the investigation to some other agency like Crime Branch CID/Inspector of Police for further investigation and to lay charge sheet under his supervision in respect of the case in Crime No.38 of 2021 of Sawyerpuram Police Station, Thoothukudi District.



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For Petitioner : Mr.V.Kannan,
For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the first respondent to transfer the investigation to some other agency like Crime Branch CID/Inspector of Police for further investigation and to file charge sheet under his supervision in respect of the case in Crime No.38 of 2021 of Sawyerpuram Police Station, Thoothukudi District.

2.According to the petitioner, he is the defacto complainant and he lodged the complaint regarding house breaking and theft committed by unknown persons. Based on his complaint, an FIR in Crime No.38 of 2021 was registered for the offences under Sections 380 and 454 of IPC and thereafter, the respondent police have not conducted proper investigation and thereby, this petition has been filed.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that in this case, investigation has been



completed and the case has been closed as 'undetected' and final report has

also been filed before the learned Judicial Magistrate No.I, Thoothukudi.

4.Since the case in Crime No.38 of 2021, on the file of the second respondent is closed as undetected and final report has been filed, it is for the petitioner to challenge the final report before the appropriate forum.

5.With the above liberty, this Criminal Original Petition is closed.

21.02.2025

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

To

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

2. The Inspector of Police,
Sawyerpuram Police Station,
Sawyerpuram,
Thoothukudi District.

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



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P. DHANABAL, J.

LR

Crl.O.P(MD)No.3287 of 2025

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