



Crl.O.P.(MD)No.3442 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :24.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P. (MD)No.3442 of 2025

A.Santhi

... Petitioner

Vs.

1. The State of Tamilnadu,
Represented by the Deputy Superintendent of Police,
Lalgudi Division,
Lalgudi,
Trichy.

2. The Inspector of Police,
Kanakiliyanallur Police Station,
Lalgudi Taluk,
Trichy.,
Crime No.139 of 2024.

3. The Inspector of Police,
CB-CID,
Trichy District.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to transfer the investigation in Crime No.139 of 2024 pending on the file of the Inspector of Police, Kanakiliyanallur Police Station, Lalgudi Taluk, Trichy the 2nd respondent to the Inspector of Police, CB-CID Trichy the 3rd respondent herein.



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For Petitioner : Mr.M.Sham Malar
for Ms.Vimal B.Crimson

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

ORDER

This petition has been filed by the petitioner to transfer the investigation in Crime No.139 of 2024 pending on the file of the Inspector of Police, Kanakiliyanallur Police Station, Lalgudi Taluk, Trichy / 2nd respondent to the Inspector of Police, CB-CID Trichy / 3rd respondent herein.

2. According to the petitioner, she is the defacto complainant in this case and she lodged a complaint dated 10.09.2024 and based on her complaint, an F.I.R has been registered in Crime No.139 of 2024 for the offences under Sections 281 and 106(1) BNS, 2023. Thereafter, the 2nd respondent has not taken any steps to investigate the case and the petitioner approached the 2nd respondent stating that there are some eye-witnesses in the occurrence, but they have not considered the request of the petitioner. Therefore, the investigation has to be transferred from the 2nd respondent to some other agency, namely the 3rd respondent herein.

<https://www.mhc.tn.gov.in/judis> 3. The learned Government Advocate (Criminal) appearing for the



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respondents would submit that this is the case of hit and run case and an unidentified vehicle involved in this case. After registration of the F.I.R, they are investigating the case and taking steps to find out the vehicle involved in this case, and they have also collected tower particulars from the concerned authorities and the investigation is under process. The petitioner had never appeared with the witnesses before the 2nd respondent. If the petitioner have some materials and witnesses, she can produce the same before the 2nd respondent, so that they can investigate the case in a fair manner.

4. The prayer of the petitioner is to transfer the investigation on the ground that the 2nd respondent has not conducted the investigation in a proper manner. According to the petitioner, she has produced some documents and witnesses, who are the eye-witnesses in this case, but the same has not been considered by the 2nd respondent. The 2nd respondent has denied the aforesaid allegations levelled against him. Therefore, it is for the petitioner to approach the 2nd respondent with the particulars and witnesses within one week from the date of this order. On production of materials and the evidences, the 2nd respondent has to investigate the case in a fair manner.



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5. With the above said observations and directions, this criminal
original petition is disposed of.

24.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.,

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To

1. The Deputy Superintendent of Police,
Lalgudi Division,
Lalgudi,
Trichy.
2. The Inspector of Police,
Kanakiliyanallur Police Station,
Lalgudi Taluk,
Trichy.
3. The Inspector of Police,
CB-CID,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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