



Crl.O.P.(MD)No.3714 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :27.02.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

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Sicily

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by The Superintendent of Police,
Kanyakumari District,
Nagarcoil.

2. The Deputy Superintendent of Police,
Thuckalay,
Kanyakumari District.

3. The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.
Crime No.51/2025.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to issue a direction to transfer the Investigation to the 2nd respondent from the 3rd respondent in Crime No.51 of 2025 dated 07.02.2025 and direct the 1st respondent to monitor the same based on petitioners compliant dated 08.02.2025 and 13.02.2025 within the period stipulated by this Court.



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For Petitioner : Mr.G.Radhakrishnan

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)

ORDER

This petition has been filed by the petitioners to issue a direction to transfer the investigation to the 2nd respondent from the 3rd respondent in Crime No.51 of 2025 dated 07.02.2025 and to direct the 1st respondent to monitor the same based on petitioner's compliant dated 08.02.2025 and 13.02.2025, within the period stipulated by this Court.

2. According to the petitioner, she is the defacto complainant in this case and mother of the deceased. The petitioner's daughter committed suicide and thereby, a case is pending in Crime No.51 of 2025. In the F.I.R, there are some averments that the daughter of the petitioner is mentally retarded person. Further more, the signature of the petitioner was obtained in a blank paper, then the contents were filled up in the blank paper. The 3rd respondent police have colluded with petitioner's son in law and with ulterior motive to safeguard the petitioner's son in law, they registered the case by filling up the averments in the blank paper. Thereafter, the petitioner sent a representation dated 08.02.2025 by narrating all the above said facts, but the same has not been considered. Therefore, she has filed



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this petition to transfer the case to some other agency.

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3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents would submit that based on the complaint given by the petitioner, they have registered a case in Crime No.51 of 2025 dated 07.02.2025 and the case has been registered recently. Based on the complaint given by the petitioner, only they registered a case and now the petitioner denied the averments made in the complaint. The investigation is at the initial stage and there is no any bias in the investigation. They will conduct the investigation in a fair manner and the Deputy Superintendent of Police, Thuckalay can monitor the investigation.

4. This Court has perused the records and the allegations of the petitioner are that she has not at all stated about the mental illness of her daughter, but those allegations are filled up in the complaint where she only signed in the blank paper. Thereafter, she sent a representations to the 3rd respondent dated 08.02.2025. Therefore, this Court do not find any ground to transfer the investigation. However, the 3rd respondent is directed to consider the representation of the petitioner dated 08.02.2025 and to conduct a fair investigation and the 2nd respondent is also directed to



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monitor the investigation.

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5. With the above said observation and direction, this criminal original petition is disposed of.

27.02.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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P. DHANABAL, J.,

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To

1. The Superintendent of Police,
Kanyakumari District at Nagarcoil.
2. The Deputy Superintendent of Police,
Thuckalay,
Kanyakumari District.
3. The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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