



Crl.O.P(MD)No.3889 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.3889 of 2025

Sathish

... Petitioner

Vs

1. The State of Tamilnadu,
Rep. by the Superintendent of Police,
Trichy,
Trichy District.

2. The Inspector of Police,
Trichy CCD-III Police Station,
Trichy District.

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to withdraw the investigation of the FIR in Crime No. 46/2024 dated on 19.11.2024, on the file of the second respondent and transfer the same to any other investigating agency other than the second respondent.

For Petitioner : Mr.V.G.Vallarasu Chezhiyan,

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



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ORDER

This Criminal Original Petition has been filed seeking a direction to withdraw the investigation of the FIR in Crime No. 46/2024 dated on 19.11.2024, on the file of the second respondent and transfer the same to any other investigating agency other than the second respondent.

2. According to the petitioner, he is the defacto complainant in this case and based on his complaint, the second respondent has registered the FIR in Crime No.46 of 2024 for the offences under Section 318(4) of IPC and Section 66D of Information Technology (Amendment) Act, 2008. Thereafter, the second respondent has not conducted proper investigation. Therefore, the investigation in this case has to be transferred to some other agency.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that based on the complaint given by the petitioner, the respondent police have conducted enquiry and thereafter,



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registered the present FIR and on investigation, it was found that the petition mentioned company is not in existence and by creating fake address, they obtained money from the petitioner. The petitioner has not produced any particulars in respect of the website address. Already, the respondent police also gave a request to the Google to provide the account details of the said company and the same is yet to be received. If the petitioner produces the relevant particulars, then the respondent police will conduct the investigation and file final report as early as possible.

4.Since the investigation is under progress and there are no valid grounds to transfer the investigation and recording the submission of the learned Government Advocate (Crl.Side), this Criminal Original Petition is disposed of.

03.03.2025

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



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Trichy District.
2. The Inspector of Police,
Trichy CCD-III Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

LR

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