



Crl.O.P(MD)No.4238 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.4238 of 2025
and Crl.M.P(MD) No.2998 of 2025

Malaichamy

... Petitioner

Vs

1. The State of Tamilnadu,
Rep by the Director General of Police,
D.G.P Office,
Radhakrishnan Salai,
Chennai.

2. The Superintendent of Police,
Dindigul District.
Dindigul.

3. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
In Crime No.50/2025.

4. The Inspector of Police,
Crime Branch Crime Investigation Department,
C.B.C.I.D, Dindigul District.

... Respondents



Crl.O.P(MD)No.4238 of 2025

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to direct the Respondent No.1 to Withdraw the case Crime No. 50/2025 pending on the file of the Respondent No.3 and entrust the same to the Respondent No.4 for fair investigation and to file the final report within a time frame fixed by this Court.

For Petitioner : Mr. M.Vivek Kumar

For Respondents : Mr.M.Sakthikumar

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the Respondent No.1 to withdraw the case Crime No.50/2025 pending on the file of the Respondent No.3 and entrust the same to the Respondent No.4 for fair investigation and to file a final report.

2.According to the petitioner, he is the de facto complainant, who lodged a complaint against 5 persons. The respondent police has registered an FIR against 4 persons and omitted to file final report against one Anand Kumar. In order to ensure fair investigation, he seeks for transfer of investigation.



Crl.O.P(MD)No.4238 of 2025

3.The learned Government Advocate (Crl.Side) appearing for the

respondents would submit that based on the complaint given by the petitioner they registered an FIR against 5 persons, including the said Anand Kumar. However, after conducting enquiry, they found that the said Ananda Kumar has no nexus with the occurrence. If the petitioner is having any materials to prove his contention, he may be directed to appear before the respondent police and produce the necessary materials and the same will be considered by the respondent police for investigation.

4.Since the prayer of the petitioner is seeking transfer of investigation on the ground that the respondent police has not included one of the accused in the final report and the respondent police also assured to consider the request made by the petitioner, it is for the petitioner to approach the investigation officer by producing appropriate materials and then the respondent police will consider the same and act in accordance with law.



Crl.O.P(MD)No.4238 of 2025

5. With the above observation and directions, this petition is

disposed of. Consequently, connected miscellaneous petition is closed.

07.03.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
PNM

To

1. The Director General of Police,
D.G.P Office,
Radhakrishnan Salai,
Chennai.

2. The Superintendent of Police,
Dindigul District.
Dindigul.

3. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
In Crime No.50/2025.

4. The Inspector of Police,
Crime Branch Crime Investigation Department,
C.B.C.I.D, Dindigul District.

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



WEB COPY



Crl.O.P(MD)No.4238 of 2025

P. DHANABAL, J.

PNM

CrI.O.P(MD)No.4238 of 2025
and CrI.M.P(MD) No.2998 of 2025

07.03.2025