



Crl.O.P(MD)No.4016 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2025

CORAM

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

**Crl.O.P(MD)No.4016 of 2025**

Thamayanthi

... Petitioner

Vs.

1.The Superintendent of Police,  
Virudhunagar District,  
Virudhunagar.

2.The Deputy Superintendent of Police,  
Virudhunagar,  
Virudhunagar District.

3.The State of Tamil Nadu,  
Represented by,  
The Sub Inspector of Police,  
Vachakarapatti Police Station,  
Virudhunagar District.  
Crime No.336 of 2024.

... Respondents

**Prayer** : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023,  
to transfer the investigation in the case in Crime No.336 of 2024 from third



Crl.O.P(MD)No.4016 of 2025

respondent to second respondent in view of representation, dated 23.12.2024  
and pass such further other orders as this Court.

For Petitioner : Mr.D.Muthu Pandi

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

### **ORDER**

This Criminal Original Petition has been filed to transfer the investigation in the case in Crime No.336 of 2024 from third respondent to second respondent in view of representation, dated 23.12.2024.

2. According to the petitioner, the petitioner is the de facto complainant in this case and based on her complaint, a case in Crime No.336 of 2024 was registered for the offences under Section 194 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Initially, the case was registered under Section 194 of BNSS and thereafter, no steps were taken to alter the case and investigation has not been conducted in a fair manner. Therefore, the petitioner filed this petition.



*Crl.O.P(MD)No.4016 of 2025*

WEB COPY

3. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that initially the case was registered under Section 194 of BNSS and thereafter, now the Sections of law have been altered into Sections 108 and 351(3) of the BNSS and the investigation of the case is pending and they are conducting investigation in a fair manner. Therefore, the representation of the petitioner has already been considered and the Sections of law have already been altered. Therefore, the prayer of the petitioner need not be considered at this stage.

4. The prayer of the petitioner is to transfer the investigation on the ground that the respondent police have not taken any steps after registering FIR but the respondent police during investigation altered the Sections from Section 194 of BNSS to Sections 108 and 351(3) of the BNSS and they also assured to conduct investigation in a fair manner. Even according to the petition averments, there are no grounds to transfer the case from the third respondent to second respondent. However, the Inspector of Police, Vachakarapatti Police Station, Virudhunagar is directed to complete the investigation as early as possible within a period of three (3) months from the date of this order.



Crl.O.P(MD)No.4016 of 2025

WEB COPY

5. With the above said directions, this Criminal Original Petition stands disposed of.

**04.03.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
BTR

To

- 1.The Superintendent of Police,  
Virudhunagar District,  
Virudhunagar.
- 2.The Deputy Superintendent of Police,  
Virudhunagar,  
Virudhunagar District.
- 3.The Sub Inspector of Police,  
Vachakarapatti Police Station,  
Virudhunagar District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



**Crl.O.P(MD)No.4016 of 2025**

**P.DHANABAL, J.**

BTR

**Crl.O.P(MD)No.4016 of 2025**

**04.03.2025**