



Crl.O.P.(MD) No.4689 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL.OP(MD).No.4689 of 2025

P. Deivendran

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Superintendent of Police,
Madurai District.
Madurai.

2. The Deputy Superintendent of Police,
Y. Othakadai,
Madurai District.

3. The Inspector of Police,
Y. Othakadai Police Station,
Madurai District.
(Crime No.174 of 2024).

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), to transfer the investigation in Crime No. 174 of 2024 dated 18.05.2024 on the file of the 3rd respondent police to another investigation officer to bring the truth in the matter.

For Petitioner : Mr. M.Pandian

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



Crl.O.P.(MD) No.4689 of 2025

ORDER

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This petition has been filed by the petitioner to transfer the investigation in Crime No.174 of 2024 dated 18.05.2024 on the file of the 3rd respondent police to another investigation officer.

2. According to the petitioner, he is the defacto complainant and based on his complaint, a case in Crime No.174 of 2024 has been registered for the offences under Section 294(b), 406, 420, 506(i) and 379 of IPC. Thereafter, the respondent police have not conducted a fair investigation and thereby, he filed a petition to transfer the case in Crl.O.P(MD).No.20034 of 2024 and the same was disposed on 19.11.2024 by directing the petitioner to produced relevant documents for investigation and also directed the respondent police to complete the investigation without further delay. But, the 3rd respondent did not investigate the case, even after sending representation and also appeared in person to consider the petitioner's documents. Therefore, he has filed this petition.

3. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that based on the complaint given by the



Crl.O.P.(MD) No.4689 of 2025

WEB COPY

petitioner, they registered a case in Crime No.174 of 2024 for the offences under Section 294(b), 406, 420, 506(i) and 379 of IPC and the investigation in this case is going on. While so, the petitioner has filed a petition to transfer the case from the respondent police to some other investigating agency in Crl.O.P(MD) No.20034 of 2024, wherein this Court passed an order by directing the petitioner to produce the documents for investigation, but so far, the petitioner has not produced any documents. If the petitioner produces the documents, they will consider the documents for investigation and act in accordance with law.

4. Since the prayer of the petition is to transfer the investigation, already this Court also directed the petitioner to produce the documents available with him through an order dated 19.11.2024 in Crl.O.P.(MD)No. 20034 of 2024, the petition for same kind of relief cannot be entertained. The only grievance of the petitioner is that he approached the 3rd respondent police, but they did not even hear the petitioner. Therefore, it is appropriate to direct the petitioner to appear before the 3rd respondent-police on 15.03.2025 and produce the documents. On production of such documents, the 3rd respondent is directed to consider the documents and conduct the investigation and file the final report as early as possible



Crl.O.P.(MD) No.4689 of 2025

without any delay.

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5. With the above said observations and discussions, this Criminal
Original Petition is disposed of.

13.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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To

1. The Superintendent of Police,
Madurai District.
Madurai.
2. The Deputy Superintendent of Police,
Y. Othakadai,
Madurai District
3. The Inspector of Police,
Y. Othakadai Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.4689 of 2025

P.DHANABAL. J.,

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Crl.O.P(MD)No.4689 of 2025

13.03.2025