



Crl.O.P(MD)No.5249 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.5249 of 2025

A.Saji Rajan

...Petitioner

Vs.

**1.State of Tamilnadu rep. by
The Superintendent of Police,
Nagerkoil,
Kanyakumari District.**

**2.The Inspector of Police,
District Crime Branch,
Nagerkoil,
Kanyakumari District.**

...Respondent

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to direct the 1st Respondent to transfer the enquiry directed to the 2nd Respondent in Crl.M.P. No.5227/2024 dated 09.01.2025 by the Learned Judicial Magistrate I, Nagerkoil, Kanyakumari District to some other Inspector of Police.



WEB COPY



Crl.O.P(MD)No.5249 of 2025

For Petitioner : Mr.Raamakrishnan.KA

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the first respondent to transfer the enquiry directed to the second respondent in Crl.M.P.NO.5227 of 2024 dated 09.01.2025 by the learned Judicial Magistrate I, Nagercoil, Kanyakumari District to some other Inspector of Police.

2.According to the petitioner, he filed a petition before the learned Judicial Magistrate No.I, Nagercoil, under Section 156(3) of Cr.P.C in Crl.M.P.No.5227 of 2024 and the same was forwarded to the second respondent through order, dated 09.01.2025, thereafter, no steps were taken by the respondent police. Hence this petition.



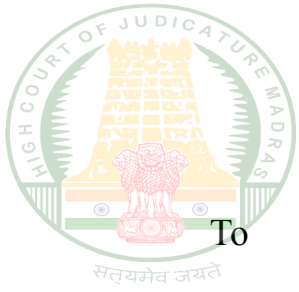
Crl.O.P(MD)No.5249 of 2025

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that based on the order passed by the learned Judicial Magistrate No.I, Nagercoil, an FIR in Crime No.9 of 2025 was registered. Therefore, nothing survives for further adjudication in this matter and the transfer of enquiry will not arise.

4.Since an FIR in Crime No.9 of 2025 was registered based on the order passed by the learned Judicial Magistrate No.I, Nagercoil, in Crl.M.P.No.5227 of 2024dated 09.01.2025 and already enquiry was conducted, nothing survives for further adjudication. Hence, this criminal original petition is closed.

21.03.2025

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



Crl.O.P(MD)No.5249 of 2025

To

WEB COPY

- 1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 2.The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.5249 of 2025

P. DHANABAL, J.

LR

Crl.O.P(MD)No.5249 of 2025

21.03.2025