



CRL.OP(MD) NO.5886 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.5886 of 2025

R.Sathya

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.

3.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
(Crime No.446 of 2024)

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to transfer the investigation of the case in Crime no. 446 of 2024 on the file of the 3rd Respondent to any other competent Officer not below the Rank of Deputy Superintendent of Police and investigate further.



WEB COPY



CRL.OP(MD) NO.5886 of 2025

For petitioner :Mr.T.Sugadev

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

ORDER

This petition is filed by the petitioner to transfer the investigation of the case in Crime no.446 of 2024, on the file of the third respondent to any other competent Investigating Agency.

2. The learned counsel for the petitioner would submit that the petitioner is the daughter of the deceased, namely, Dhanalakshmi and she died in a suspicious manner. Thereby, the brother of the petitioner lodged a complaint before the third respondent police and they registered the case in Crime no.446 of 2024 for the offences under Section 194 of BNSS, but no effective steps were taken to find out the real reason for the death. Therefore, she filed this petition to transfer the investigation from the third respondent to some other Investigating Agency.

3. The learned Government Advocate (Crl.Side) for the respondents would submit that there was a family dispute pending between the

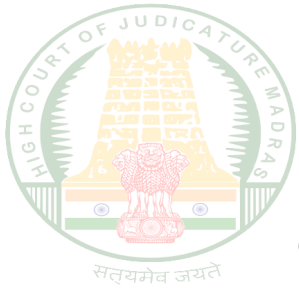


CRL.OP(MD) NO.5886 of 2025

petitioner's mother and father and thereby, the deceased died by committing suicide by hanging inside the house. The matter is also investigated by the third respondent and they examined more than seven witnesses and also collected materials. Therefore, the investigation of this case is going on in a fair manner. At this stage, the transfer will affect the fair investigation. Further, there is no allegation as against the Investigating Officer. Therefore, the petition is liable to be dismissed.

4. Heard both sides and perused the records.

5. The petitioner is the daughter of the deceased one Dhanalakshmi, who died in a suspicious manner. Now, the case is under investigation by the third respondent. According to the third respondent, they already examined seven witnesses and collected some materials. Therefore, most of the investigation is completed. At this stage, without any valid grounds the case cannot be transferred to some other Agency and the petitioner has also not pleaded valid ground to transfer the case. Therefore, at this stage, the prayer of the petitioner cannot be considered. However, the entire investigation can be monitored by the second respondent/Deputy Superintendent of Police, Usilampatti Sub Division, Madurai.



CRL.OP(MD) NO.5886 of 2025

6. With the above said observations and directions, this Criminal

WEB COPY Original Petition is disposed of.

01.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd

To

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

2. The Deputy Superintendent of Police,
Usilampatti Sub Division,
Madurai District.

3.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.

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



WEB COPY



CRL.OP(MD) NO.5886 of 2025

P.DHANABAL,J

apd

CrI.OP(MD) No.5886 of 2025

01.04.2025