



CRL.OP(MD) No.6393 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. OP(MD) No.6393 of 2025

and CRL. MP(MD) No.4661 of 2025

P. Velmurugan

... Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Peraiyur Taluk,
Madurai District.

3. The Inspector of Police,
Saptur Police Station,
Peraiyur Taluk,
Madurai District.
Crime No.198 of 2024.

4. The Inspector of Police,
CBCID, Madurai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to issue a direction to transfer the investigation to the 4th respondent office or any other



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investigating agency office for conducting fair and impartial investigation
in Crime Number. 198 of 2024 on the file of the respondent no. 3

For Petitioner : Mr.W.Pamelin

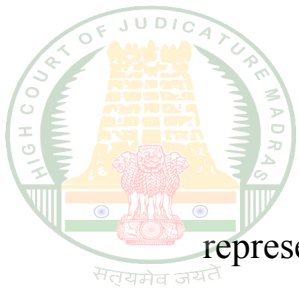
For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. Side)

ORDER

This petition has been filed by the petitioner to transfer the case in Crime No.198 of 2024 on the file of the 3rd respondent to some other investigating agency.

2. According to the petitioner, he is one of the victim and defacto complaint in this case and the petitioner paid money to one Balaji and one Enthiran, Othakkadai a sum of Rs.3,00,000/-. Thereafter, they have not repaid the amount and the said Balaji cheated the tune of Rs.11,00,000/- and thereby, a case in Crime No.198 of 2024 was registered by the 3rd respondent under Section 318(4) of BNSS. Thereafter, the petitioner came to know through newspaper that the same individuals were arrested by the Thallakulam Police Station for cheating others by using the same modus operandi. Therefore, the petitioner sent a



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representation to the respondents for recovery of money from the accused, but the 3rd respondent did not conduct any proper investigation. Hence, he has filed this petition.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents would submit that based on the complaint lodged by the petitioner, they registered a case in Crime No.198 of 2024 and the investigation is pending. While so, the petitioner has filed a petition without any valid ground.

4. This Court also perused the entire records and nowhere the petitioner has stated about anything adverse against the present investigating officer and the only grievance of the petitioner is that the accused were arrested by the Thallakulam Police and therefore, the money has to be recovered from the accused. Apart from that, there is no any other ground to transfer the case. Merely because the accused were arrested in some other case and money has to be recovered from them, it is not a sole ground to transfer the case. Without any valid ground, the petition has been filed and therefore, the petition has no merits and deserves to be dismissed. Accordingly, this Criminal Original Petition is



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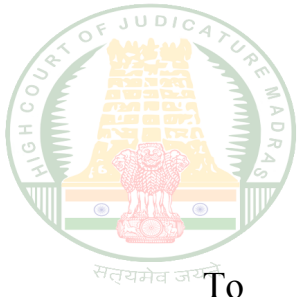
dismissed. However, the Deputy Superintendent of Police (DSP),

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Peraiyur Taluk is directed to monitor the investigation and the 3rd respondent is directed to conduct the fair investigation in accordance with law. Consequently, connected Criminal Miscellaneous Petition is closed.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Madurai District.
3. The Inspector of Police,
Saptur Police Station,
Peraiyur Taluk,
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4. The Inspector of Police,
CBCID, Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL, J.

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