



Crl.O.P(MD)No.7733 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.7733 of 2025

Kousalya

... Petitioner

Vs

**1. The State of Tamil Nadu Rep.,
By,, Superintendent of Police,
District Police Office,
Karur, Karur District.**

**2. The State of Tamilnadu Rep.By,,
the Inspector of Police,
Kulithalai Police Station,
Kulithalai, Karur District.**

... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to issue a direction directing the 1st respondent herein to transfer the investigation in Crime No.76 of 2025 from the file of the 2nd respondent to any other investigation officer for free and fair investigation in the light of petitioner's representation, dated 19.03.2025.



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For Petitioner : Mr.R.Sundar,

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the 1st respondent herein to transfer the investigation in Crime No.76 of 2025 from the file of the 2nd respondent to any other investigation officer for free and fair investigation based on the petitioner's representation, dated 19.03.2025.

2.According to the petitioner, she is the defacto complainant and she lodged a complaint against her husband and father-in-law. Based on the same, the present FIR has been registered only against her father-in-law. But her husband's name was not included in the FIR. Therefore, the petitioner sent the representation dated 19.03.2025, but the same has not



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been considered. Hence this petition.

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3.The learned Government Advocate (CrI.Side) appearing for the respondent police would submit that based on the petitioner's statement recorded when she was taking treatment in a hospital, the respondent police registered the present FIR as against the accused. If the petitioner has any material, she can very well approach the second respondent and after receipt of the same, they will consider the same and if any material available they will take appropriate steps to include the other accused.

4.Considering the prayer sought for in this petition and the respondent police also admitted the receipt of the petitioner's representation and the case is now under investigation by the second respondent, it is for the petitioner to approach the second respondent, if she has any material to include the other accused in this case and she shall produce the same before the second respondent. After receipt of the materials from the petitioner, the second respondent has to act in accordance with law.



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5. With the above direction, this Criminal Original Petition is disposed of.

28.04.2025

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

To

1. The State of Tamil Nadu Rep.,
By,, Superintendent of Police,
District Police Office,
Karur, Karur District.

2. The State of Tamilnadu Rep.By,,
the Inspector of Police,
Kulithalai Police Station,
Kulithalai, Karur District.

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



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P. DHANABAL, J.

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