



CRL.OP(MD) No.6389 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. OP(MD) No.6389 of 2025

Karal Marks

Vs.

... Petitioner

1. The District Superintendent of Police,
O/o. The District Superintendent of Police,
Pudukkottai,
Pudukkottai District.

2. The Deputy Superintendent of Police,
Iluppur,
Pudukkottai District.

3. The Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
Crime No.68 of 2025.

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

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to transfer the investigation in connection with Crime No.68 of 2025 from the file of the 3rd respondent to CBCID/4th respondent or any other independent



CRL.OP(MD) No.6389 of 2025

investigating agency under the supervision of the 1st respondent and consequently, take necessary action within a stipulated period.

For Petitioner : Mr.A.Joel Paul Antony

For Respondents : Mr.M.Sakthi Kumar

Government Advocate (Criminal Side)

ORDER

This petition has been filed by the petitioner to transfer the investigation in connection with Crime No.68 of 2025 from the file of the 3rd respondent to the 4th respondent or any other independent investigating agency.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the defacto complainant in this case and based on his complaint, a case in Crime No.68 of 2025 was registered for the offences under Sections 115(2), 118(1) and 351(3) of BNSS. The petitioner lodged a complaint as against five persons, but the F.I.R has been registered only against three persons. The main accused, who is the owner of the company has not been included in the F.I.R. and therefore, he sent a representation dated 26.03.2025, but the same has not been considered. Therefore, he seeks transfer of investigation from the 3rd respondent to the



CRL.OP(MD) No.6389 of 2025

4th respondent.

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3. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that F.I.R has been registered based on the complaint lodged by the petitioner only on 25.03.2025. As per the complaint, they impeaded all the accused and also registered F.I.R for the appropriate provisions of law. In the meantime, the petitioner sent a representation for implicating other accused. Therefore, the said representation is also under consider. During the investigation, they will take appropriate action in accordance with law.

4. Considering the prayer sought for in the petition and the grievance of the petitioner is that the investigation officer has not included the real accused and not included appropriate sections, but the 3rd respondent police denied the allegations and based on the complaint lodged by the petitioner, they included all the accused and the petitioner's representation is also under consideration by the 2nd respondent. Therefore, it is for the 3rd respondent to conduct proper investigation in accordance with law. There are no valid grounds to transfer the investigation. At the time of investigation, the representation of the



CRL.OP(MD) No.6389 of 2025

petitioner dated 26.03.2025 may be taken into consideration and act in accordance with law. In view of the same, this Court directs the 3rd respondent to conduct a fair and appropriate investigation and the 2nd respondent is also directed to monitor the investigation.

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

07.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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CRL.OP(MD) No.6389 of 2025

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2. The Deputy Superintendent of Police,
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3. The Inspector of Police,
Annavasal Police Station,
Pudukkottai District.

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

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



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CRL.OP(MD) No.6389 of 2025

P.DHANABAL, J.

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CRL. OP(MD) No.6389 of 2025



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CRL.OP(MD) No.6389 of 2025

07.04.2025