



Crl.O.P(MD)No.6854 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.6854 of 2025

N.T Regitha Rajeshwari
... Petitioner

Vs

1. The State of Tamilnadu,
Rep by the Superintendent of Police,
Kanyakumari District.

2. The State of Tamilnadu,
Rep by the Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.

3. The State of Tamilnadu,
Rep by the Inspector of Police,
CBCID, Nagercoil.
... Respondents

PRAYER: Criminal Original petition has been filed under Section 528 of BNSS to direct the 1st Respondent to transfer the investigation in Crime No.1/2024 on the file of 2n Respondent to 3rd Respondent.

For Petitioner : Mr.S.Ramasamy

For Respondents: Mr.M.Sakthi Kumar (R1-R3)
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to direct the 1st Respondent to transfer the investigation in Crime No.1/2024 on the file of 2nd Respondent to 3rd Respondent.

2. According to the petitioner, she is a practicing Advocate in Nagarcoil. She came to understand that one Muthurajan has given a complaint to the 2nd respondent on 11.01.2024 stating that he is running a Hotel and in the upstairs of the Hotel, there are three rooms and on 11.01.2024 at about 09.30a.m., a male body was found in a burnt condition and the same was informed to him by his employees. After receiving his complaint, a case in Cr.No. 1 of 2024 has been registered under Section 174 of Cr.P.C. The case is pending without conducting proper investigation. The petitioner has filed a petition before this Court in Crl.O.P(MD) No.2259 of 2025 seeking a direction to investigate the case in Cr.No.1 of 2024 in a fair and proper manner. In that petition, the 2nd respondent has filed a status report that the investigation is pending. Thereafter, the petitioner has sought information from the second



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respondent through Right to Information Act, wherein, the 2nd respondent has stated that investigation is over. The 2nd respondent has stated a contradict view before this Court that the investigation is pending and in the Right to Information Act that the investigation is over. Therefore, the petitioner has sent a representation to the higher authorities to transfer the investigation. However, no action has been taken. Hence, this petition.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that investigation in this case is still pending. Based on the reply given under the RTI Act, this Court dismissed the petition filed by the petitioner seeking transfer of investigation on 12.04.2025. Immediately, within a short span of time, this petition has been filed. Hence, prays to dismiss the petition.

4.Heard the learned counsels appearing on both sides and perused the materials available on record.

5.The petitioner has filed this petition seeking transfer of



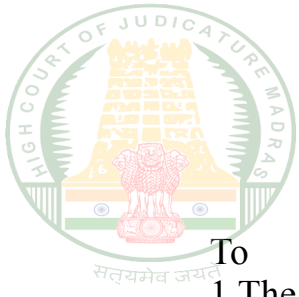
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investigation. The grounds raised by the petitioner is that earlier in the a status report, the 2nd respondent has stated before this Court that the investigation is pending. Thereafter, in the reply given under RTI Act, the 2nd respondent has stated that the investigation is completed. The learned Government Advocate (Crl.Side) appearing for the respondent police stated that investigation is pending. However, the reason stated by the petitioner is not a ground to transfer the case. Earlier, this Court dismissed the petition seeking transfer of investigation. Within a short span of time, the petitioner has filed another petition seeking transfer of investigation. This Court finds no merits in this petition.

6. Accordingly, this petition stands dismissed.

16.04.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
PNM



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To

1. The Superintendent of Police,
Kanyakumari District.

2. The Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.

3. The Inspector of Police,
CBCID, Nagercoil.

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



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P. DHANABAL, J.

PNM

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