



CRL.OP(MD) NO.7254 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.7254 of 2025

and

CRL M.P.(MD) No.5285 of 2025

T.Murugan

... Petitioner

Vs

1. The State of Tamilnadu
Rep., by, the Superintendent of Police
O/o. the Superintendent of Police,
Theni District.

2. The Deputy Superintendent of Police
O/o. the Deputy Superintendent of Police,
Bodi, Theni District.

3. The Inspector of Police,
Chinnamanoor Police Station
Theni District
(Crime No. 105 of 2025).

4. S. Sudhakar

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to direct the first respondent to transfer the Investigation in Crime No. 105 of 2025 dated



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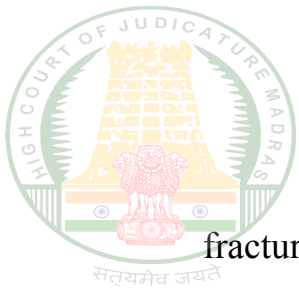
13.03.2025 on the file of the respondent no. 3 and entrusted the same any other competent officer within the time period stipulated by this Court.

For petitioner : Mr.T.Thirumurugan
For R1 to R3 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This petition has been filed by the petitioner to direct the first respondent to transfer the Investigation in Crime No. 105 of 2025 dated 13.03.2025 on the file of the third respondent and entrusted the same any other competent officer.

2. The learned counsel for the petitioner would submit that the petitioner is actually victim and he also sustained injuries in the accident that occurred on 10.03.2025. When he was proceedings in his Auto bearing registration No.TN-60-F-7367, at that time, three persons came in the two-wheeler bearing registration No.TN-60-BY-6148 and they dashed against the petitioner, thereby, he sustained injuries. While so, the petitioner lodged a complaint against the rider of the two wheeler. However, the third respondent registered a case against the petitioner without considering the petitioner's complaint. The petitioner also got



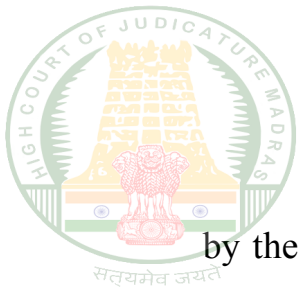
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fracture injury and he was also admitted in hospital as in-patient and in spite of that, FIR has been registered as against the petitioner in Crime No.105 of 2025 for the offences under Sections 281 and 125(a) of BNS. Therefore the petitioner sent representation dated 09.04.2025 but the same has not been considered. Hence, he filed this petition to transfer the investigation.

3. The learned Government Advocate (Crl.Side) for the respondents 1 to 3 would submit that the case has been registered on 13.03.2025 based on the complaint lodged by the fourth respondent and the same is under investigation by the Sub-Inspector of Police. If any representation sent by the petitioner, the same may be considered during investigation and they will conduct investigation and take appropriate action based on the petitioner's representation in accordance with law.

4. Considering the prayer sought for in this petition, this Court, without issuing notice to the fourth respondent, is inclined to pass orders.

5. According to the petitioner, he is the real victim and he also sustained fracture injury due to the accident that occurred on 10.03.2025



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by the rider of the two-wheeler bearing registration No.TN-60-BY-6148.

But the case has been registered against the petitioner. Therefore, he filed this petition to transfer the case from the third respondent.

6. The third respondent also admitted that the case has been registered against the petitioner and the petitioner also sent representation and the same is under consideration by the Investigating Officer. Since the petitioner made allegation against the present Investigating Officer and the investigation is pending with the Sub-Inspector of Police, Chinnamanoor Police Station, this Court is inclined to transfer the investigation of the case to the third respondent for conducting a fair investigation.

7. Therefore, the third respondent is directed to investigate the case by considering the petitioner's representation dated 09.04.2025 and to take appropriate action in accordance with law. Further, the transfer of investigation to another Investigating Agency is not appropriate in this case and the investigation of the case in Crime No.105 of 2025 is ordered to transfer to the third respondent for conducting fair investigation.



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8. With the abovesaid observations and directions, this Criminal

Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

22.04.2025

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

To

1.The Superintendent of Police
O/o. the Superintendent of Police,
Theni District.

2. The Deputy Superintendent of Police
O/o. the Deputy Superintendent of Police,
Bodi, Theni District.

3. The Inspector of Police,
Chinnamanoor Police Station
Theni District

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



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P.DHANABAL,J

apd

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