



Crl.O.P(MD)No.8304 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 30.04.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE P. DHANABAL**

**Crl.O.P(MD)No.8304 of 2025**

1. Chandrasekar @ L.Chandrasekarn

2. Packiyam

3. Pavithra@Subathra

... petitionerss

Vs

1. The State of Tamil Nadu,  
The Superintendent of Police,  
Sivagangai District, Sivagangai.

2. The Deputy Superintendent Of Police,  
Sivagangai Subdivision, Sivagangai District.

3. The Inspector of Police,  
Velayuthapattinam Police Station,  
Sivagangai District, Cr No.42/2025.

4. Gandhi

... Respondents

**PRAYER:** Criminal Original petition has been filed under Section 528 of BNSS to transfer the investigation in the case in Cr.No.42 of 2025 dated 19.04.2025 on the file of the 3<sup>rd</sup> respondent police to the Inspector of Police, CBCID, Sivagangai.

For petitionerss : Mr.L.Chandrasekaran

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 transfer the investigation in the case in Cr.No.42 of 2025 dated 19.04.2025 on the file of the 3<sup>rd</sup> respondent police to the Inspector of Police, CBCID, Sivagangai.

2.According to the petitioners, they are accused persons/A1-A3 in this case. On 31.03.2025 at about 03.00p.m., the accused persons illegally trespassed into the house of the 1<sup>st</sup> petitioner's house, assaulted him brutally and threatened him with dire consequences. In this regard, the 1<sup>st</sup> petitioner gave a complaint before the 3<sup>rd</sup> respondent police and they have issued CSR No.49 of 2025, thereafter, no action has been taken. However, based on the complaint of 4<sup>th</sup> respondent, a case in Cr.No.42 of 2025 has been registered and the same is pending. The present Investigation Officer colluding with the 3<sup>rd</sup> respondent, registered a false case against the petitioners. He has not conducted investigation in a proper manner. Therefore, the petitioners sent a representation seeking transfer of investigation, but the same has not been considered. Hence this petition.



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3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that based on the complaint of the 4<sup>th</sup> respondent, they have registered a case in Cr.No.42 of 2025 on 17.03.2025 and based on the complaint of the petitioners, CSR No.49 of 2025 has been registered against the 3<sup>rd</sup> respondent. This case was registered only recently ie., on 19.04.2025. The investigation officer is conducting investigation in a fair manner and there is no specific allegations as against the present Investigation Officer. Hence, the petition seeking transfer of investigation is liable to be dismissed.

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

5.This petition has been filed by the petitioners seeking transfer of investigation. The main ground raised by the petitioners is that based on the complaint of the 1<sup>st</sup> petitioner, CSR No.49 of 2025 has been registered and without conducting proper investigation, colluding with the defacto complainant, a false case has been registered against the petitioners. However, the petitioners have not raised any specific



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allegation against the present Investigation Officer. There is no valid ground raised by the petitioners to transfer the investigation. It is a case and case in counter, which needs thorough investigation. The respondent police also assured to conduct fair investigation and take appropriate steps to complete the investigation.

6.In view of the above, there are no merits in the petition.

Accordingly, this Criminal Original Petition stands dismissed.

**30.04.2025**

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

To

1.The Superintendent of Police,  
Sivagangai District, Sivagangai.

2. The Deputy Superintendent Of Police,  
Sivagangai Subdivision, Sivagangai District.

3. The Inspector of Police,  
Velayuthapattinam Police Station,  
Sivagangai District, Cr No.42/2025.

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



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**P. DHANABAL, J.**

PNM

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