



CrI.O.P.(MD)No.10299 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.10299 of 2025

G.Saravanan

... Petitioner

Vs.

1.The Deputy Inspector General of Police,
No.4, St.Thomas Road,
Maharaja Nagar,
Tirunelveli-627 011.

2.The Superintendent of Police,
Tirunelveli District,
Near St.Johns College,
Palayamkottai,
Tirunelveli.

3.The Deputy Superintendent of Police,
Thalayuthu Division,
Thalayuthu,
Tirunelveli District.

4.Ragupathy Raja

5.The Sub Inspector of Police,
Sivanthipatti Police Station,
Sivanthipatti,
Tirunelveli District.
(Cr.No.118 of 2025)

... Respondents



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Prayer : Criminal Original Petition filed under Section 528 BNSS, to direct the second respondent to withdraw the case in Crime No.118 of 2025 pending on the file of the third respondent and entrust the same for investigation to the competent officer under the direct supervision of the second respondent and file final report within a time limit that may be fixed by this Court.

For Petitioner : Mr.R.R.Kannan

For R1 to R3 & R5 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

ORDER

The petitioner, who is the defacto complainant in Cr.No.118 of 2025 on the file of the fifth respondent, has filed this petition to transfer the said case from the file of the third respondent to the file of some other competent officer for investigation.

2.The learned counsel appearing for the petitioner submits that A1 along with the other accused has brutally attacked the petitioner on 11.02.2025. The petitioner has sustained serious injuries and he was

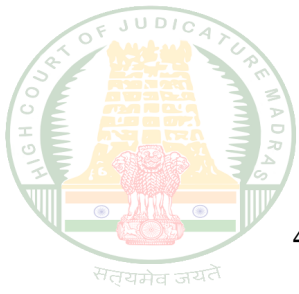


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admitted in Tirunelveli Medical College Hospital for 10 days. His complaint has not been registered by the respondent police, as A1 is a close relative of the fourth respondent, who is the Deputy Superintendent of Police, Thalayuthu Division, Tirunelveli District and case in Cr. No.118 of 2025 was registered only after filing of writ petition in WP. (MD)No.4400 of 2024. Therefore, the petitioner has filed this petition, with an apprehension that at the instance of the fourth respondent, the respondent police may not conduct the investigation in a proper manner and sought for transfer of investigation to some other investigation agency.

3.The learned Additional Public Prosecutor appearing for the official respondents, on instructions, submits that the investigation in Cr.No.118 of 2025 has already been completed by the respondent police. According to the Police, the A1 has travelled from Chennai to Bangalore on the date of occurrence, ie., on 11.02.2025 by flight. They have also collected the flight ticket and verified with the boarding pass. Therefore, according to the Police, the complaint is a false one and they have closed the complaint as a mistake of fact.



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4.The learned counsel for the petitioner submits that he has not been served with any RCS notice.

5.In view of the above, the respondent Police is directed to serve the RCS notice to the petitioner within a period of two days from the date of receipt of copy of this order and they shall also furnish a copy of the final report to the petitioner.

6.The petitioner is having an effective remedy before the concerned Judicial Magistrate by filing a protest petition. It is upto the learned Judicial Magistrate to take a call on the application of the petitioner with the available materials either to pass an order for further investigation or for an investigation by some other Police Officer or to close the same. Accordingly, this criminal original petition is disposed of.

19.06.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
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- 4.The Sub Inspector of Police,
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Sivanthipatti,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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