



Crl.O.P(MD)No.11930 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

Crl.O.P(MD)No.11930 of 2024

R.Sathiya

... Petitioner

Vs

**1. The District Superintendent Of Police,
Thoothukudi District,
Thoothukudi.**

**2. The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
Crime No.32/2024.**

... Respondents

PRAYER: Criminal Original petitions have been filed under Section 528 of BNSS to direct the Respondent No.1 transfer the investigation of the First Information Report in Crime no.32/2024 dated 23.04.2024 pending on the file of the 2nd Respondent Police to CBCID Police.

For Petitioner : Mr.S.Saravanan,

**For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)**



Crl.O.P(MD)No.11930 of 2024

ORDER

WEB COPY

This Criminal Original Petition has been filed seeking a direction to the first respondent to transfer the investigation in Crime no.32 of 2024 dated 23.04.2024 pending on the file of the second respondent police to CBCID Police.

2.According to the petitioner, she is the defacto complainant and her son died in a suspicious manner thereby, she lodged a complaint, for which an FIR in Crime No.32 of 2024 has been registered for the offence under Section 174 Cr.P.C. Thereafter, the respondent police have not conducted proper investigation and not even secured the accused, namely Karthi, who was present along with the deceased soon before the death. The mobile phone of the deceased was also not recovered by the respondent police. Therefore, they have not conducted the investigation in a proper manner.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that already the respondent police have examined the said Karthi as one of the witnesses and according to him,



Crl.O.P(MD)No.11930 of 2024

he has not contacted the deceased and also examined so many witnesses.

As per the investigation, the deceased died by consuming poison due to love failure. Therefore, they already completed the investigation and closed the FIR as action dropped. Due to pendency of this petition, they have not filed any report before the concerned Court.

4.The petitioner filed this petition seeking to transfer the investigation. Since the investigation agency has completed the investigation and closed the petitioner's complaint as action dropped, there are no grounds to accept the petitioner's contention.

5.Therefore, this criminal original petition is dismissed. If any negative report filed, the petitioner is at liberty to challenge the same in the manner known to law, if she is aggrieved.

05.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR



Crl.O.P(MD)No.11930 of 2024

To

WEB COPY

1. The District Superintendent Of Police,
Thoothukudi District,
Thoothukudi.

2. The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
Crime No.32/2024.

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



WEB COPY



Crl.O.P(MD)No.11930 of 2024

P. DHANABAL, J.

LR

Crl.O.P(MD)No.11930 of 2024

05.03.2025