



CrI.O.P.(MD)No.11316 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.OP(MD)No.11316 of 2025

Shanmugaraj

... Petitioner

versus

1. State of Tamil Nadu, rep. by
The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur District.
2. The Inspector of Police,
All Women Police Station,
Thiruvaiyaru,
Thanjavur District.
3. The Inspector of Police,
Thiruvaiyaru Police Station,
Thiruvaiyaru,
Thanjavur District.

4. Pathima Beevi

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to transfer the investigation in Crime No.111 of 2025 on the file of the Inspector of Police, Thiruvaiyaru Police Station/3rd respondent herein to the file of the 2nd respondent/Inspector of Police, AWPS, Thiruvaiyaru or to any other higher officer under the direct supervision of the 1st respondent herein.



CrI.O.P.(MD)No.11316 of 2025

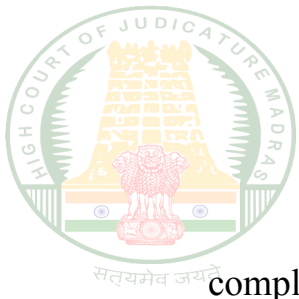
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For Petitioner : M/s.R.Ilayaraja
For R1 to R3 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

ORDER

The petitioner is the sole accused in Crime No.111 of 2025 on the file of the Inspector of Police, Thiruvaiyaru Police Station, Thanjavur District. He has moved this petition seeking transfer of investigation in Crime No. 111 of 2025 on the file of the Inspector of Police, Thiruvaiyaru Police Station to the file of the Inspector of Police, AWPS, Thiruvaiyaru or to any other higher officer under the direct supervision of the 1st respondent herein.

2. The learned counsel appearing for the petitioner submits that one Pathima Beevi, W/o.Mohamed Ismail, the 4th respondent herein, lodged a complaint before the 3rd respondent/the Inspector of Police, Thiruvaiyaru Police Station, Thanjavur, as against the petitioner that by giving false promise to marry her, he had physical relationship with her. The said complaint was registered in Crime No.111 of 2025 on 20.05.2025 for the offences under Sections 316(2), 318(4), 333, 296(b), 118(1) and 351 of BNS 2023. He further submits that the 4th respondent has lodged another



Crl.O.P.(MD)No.11316 of 2025

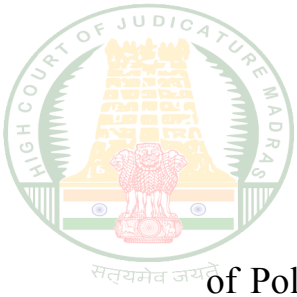
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complaint before the Inspector of Police, All Women Police Station, Thiruvaiyaru, Thanjavur District, as against the petitioner that he has abused her daughter. The said complaint was registered in Crime No.3 of 2025 on 05.02.2025 for the offence under Sections 64(2)(k) and 351(2) BNS 2023. Since there are two different complaints lodged by the 4th respondent as against the petitioner, both the cases have to be investigated by the same investigating officer.

3. This Court considered the rival submissions made.

4. It appears that the complainant in both the cases is the 4th respondent Pathima Beevi. In Crime No.111 of 2025, she lodged the complaint as if the petitioner, by giving promise to marry her, had physical relationship with her. In Crime No.3 of 2025, she lodged the complaint as if the petitioner has abused her daughter. The investigation in both the cases are at two different police stations.

5. Therefore, this Criminal Original Petition is disposed of with a direction to the Superintendent of Police, Thanjavur District, to take a call on these two complaints, viz., Crime No.3 of 2025 pending on the Inspector



Crl.O.P.(MD)No.11316 of 2025

WEB COPY

of Police, AWPS, Thiruvaiyaru and Crime No.111 of 2025 pending on the file of the Inspector of Police, Thiruvaiyaru and transfer any one of the cases to the other investigation agency and ensure that fair investigation is conducted in both the cases.

04.07.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur District.
2. The Inspector of Police,
All Women Police Station,
Thiruvaiyaru,
Thanjavur District.
3. The Inspector of Police,
Thiruvaiyaru Police Station,
Thiruvaiyaru,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.11316 of 2025

B.PUGALENDHI, J.

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Crl.OP(MD)No.11316 of 2025

04.07.2025