



W.P.Crl.(MD)No.514 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.Crl.(MD)No.514 of 2025

SM.Sujin

... Petitioner

Vs.

- 1.The Additional Director General of Police,
CBCID, No.220, Pantheon Road,
Egmore, Chennai-8.
- 2.The Superintendent of Police CBCID,
No.220, Pantheon Road,
Crime Investigation Department,
Egmore, Chennai-8.
- 3.The Inspector of Police CBCID,
No.46/50D, West Street,
Vellalar Colony,
Ramavarmapuram, Nageroil-1,
Kanyakumari District.
- 4.The Superintendent of Police,
Nagercoil, Kanyakumari District.
- 5.The Inspector of Police,
Nesamani Nagar Police Station,
Nagercoil, Kanyakumari District.



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6.Jose
7.Jasmine
8.Britto

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, seeking for the issuance of Writ of Mandamus, to direct the third respondent herein to take over the investigation based on the petitioner's initial complaint dated 09.09.2024 and his representation dated 09.12.2024 and to conduct proper enquiry and thereby, initiate legal process as against the private respondents herein in the manner known to law, in a time bound manner fixed by this Court.

For Petitioner : Mr.C.Kishore
For R1 to R5 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

ORDER

The petitioner has filed this petition seeking a direction to the respondent Police to transfer the investigation of his complaint dated 09.09.2024 as well as his representation dated 09.12.2024 from the file of the fifth respondent to the file of the third respondent.



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2.The petitioner claims that he is running a business of installing solar power plant. There was a fire accident on his house on 09.09.2024, wherein his car, motorcycle and other valuables were destroyed and therefore, he preferred a complaint before the fifth respondent on 09.09.2024 and has filed a writ petition in WP.(MD)No. 24245 of 2024 with a grievance that his complaint has not been enquired. This Court, in its order dated 17.10.2024 disposed of the said writ petition with a direction to the second respondent therein, who is fifth respondent herein, to issue notice to the petitioner as well as the private respondent and conduct enquiry and conclude the same within a period of two weeks. The petitioner claims that even after orders of this Court, the respondent Police has not issued any summons to the petitioner. Therefore, the petitioner, apprehending that the fifth respondent will not conduct proper enquiry on his complaint, has filed this petition seeking a direction to transfer the investigation on his complaint from the file of the fifth respondent to the file of the third respondent.



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3.The learned Additional Public Prosecutor appearing for the official respondents has placed a report of the fifth respondent and submits that the complaint of the petitioner was treated as petition enquiry in CSR.No.421 of 2024 and the same was closed. According to the learned Additional Public Prosecutor, it was an accident and not an offence.

4.This Court has considered the submissions made on either side.

5.The fifth respondent claims that the petitioner's complaint was closed. Therefore, this writ petition is closed with a direction to the fifth respondent Police to furnish a copy of the closure report to the petitioner enabling him to workout his remedy in the manner known to law. No costs.

14.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns



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



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B.PUGALENDHI, J.

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