

CrI.O.P.(MD)No.12417 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

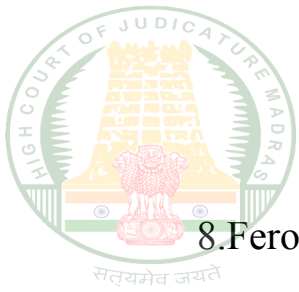
CrI.O.P.(MD)No.12417 of 2025

S.Anusuya

... Petitioner

Vs.

- 1.The Deputy Inspector General of Police,
O/o.Deputy Inspector General of Police,
Trichirappalli.
- 2.The Superintendent of Police,
O/o.Superintendent of Police,
Karur District.
- 3.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Aravakurichi, Karur District.
- 4.The Inspector of Police,
K.Paramathi Police Station,
Karur District.
- 5.The Sub-Inspector of Police,
K.Paramathi Police Station,
Karur District.
- 6.Thanga Tamizh Mudhalvan
- 7.Balamanikandan



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8.Ferozkhan Abdullah

9.Abdul Kaboor

10.Thangaraj

11.Ramya

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to direct the first respondent to withdraw the investigation of the case in First Information Report No.61 of 2025 pending investigation on the file of the fourth respondent and to entrust the same to the file of any other competent Police Officer not below the rank of Superintendent of Police by considering the representation of the petitioner dated 30.06.2025.

For Petitioner : Mr.B.Mohan

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

ORDER

The petitioner, who is the defacto complainant in Cr.No.61 of 2025 pending on the file of the fourth respondent, has filed this petition seeking a direction to the first respondent to withdraw the said case from the file of the fourth respondent and entrust the same to any other competent investigating agency.



WEB COPY 2.It appears that the petitioner has lodged a complaint before the Sub Inspector of Police, Paramathi Police Station, on 25.05.2025, based on which, the fourth respondent has registered a case in Cr.No.61 of 2025 for the offence under Sections 296(b), 351(3) BNS. The petitioner has subsequently lodged another complaint on 30.06.2025 and has filed this petition that the respondent Police has not conducted the investigation as per complaint dated 30.06.2025.

3.The learned Additional Public Prosecutor appearing for the official respondents submits that the petitioner is a Graduate. The earlier complaint of the petitioner dated 25.05.2025 is also placed before this Court, wherein, the petitioner made allegation that she is receiving threatening call from the mobile number of Balamanikandan/seventh respondent and therefore, she preferred the above complaint to take appropriate action. The respondent Police claims that they have recovered the mobile phone of the said Balamanikandan on 28.05.2025. They found there is no obscene photos available in the mobile phone. However, they are taking steps to refer both mobiles for verification by the experts as to whether any of the data has been deleted.



WEB COPY 4.The learned Additional Public Prosecutor further submits that since the petitioner belongs to Scheduled Caste community, they are influencing the Police to register the case under the provisions of the Schedule Caste and Scheduled Tribes (Prevention of Atrocities) Act and in fact, a political party is also pressurizing to the Investigating Agency. He further submits that there is an affair between the petitioner and the seventh respondent and there was a phone conversation for a long duration between them.

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

6.The petitioner is a Graduate and aged about 26 years. She had friendship with the seventh respondent. It appears that she had conversation with him for several hours. Earlier, on 25.05.2025, she lodged a complaint as if the seventh respondent through his mobile phone has intimidated her. The said complaint was registered by the fourth respondent in Cr.No.61 of 2025. Thereafter, the petitioner has lodged another complaint making certain more allegations as if some obscene photos have been taken by the seventh respondent. The



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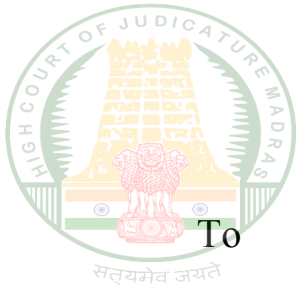
respondent Police claims that they have recovered the mobile phones of the seventh respondent and the petitioner, on 28.05.2025 itself.

According to the respondent Police, they have not found any obscene photos. Since the petitioner made specific allegations, they have referred the mobile phones to the Forensic Department to ascertain as to whether any of the data has been deleted.

7.Considering the above facts, this Court is of the view that the investigation is going on in the right track and therefore, this Court is not inclined to transfer the investigation. However, the fourth respondent Police has to conduct the investigation fairly and to take appropriate action. This Court also expects the third respondent to monitor the investigation in Cr.No.61 of 2025. Accordingly, this criminal original petition is closed.

23.07.2025

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