



CrI OP(MD)No.14159 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **26.08.2025**

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI OP(MD)No.14159 of 2025

and

CrIMP(MD)No.11367 of 2025

I.Sammanasu

... Petitioner

versus

- 1.The State of Tamil Nadu Rep by
the Director General of Police,
Head of Police Force,
Government of Tamil Nadu,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
- 2.The Additional Director General of Police,
Office of the Additional Director General of Police (ADGP),
Crime Branch – Crime Investigation Department (CB-CID),
No.220, Pantheon Road, Egmore,
Chennai – 600 008.
- 3.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, New Natham Road, Bibikulam,
Madurai – 625 002.



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4.The District Superintendent of Police,
Office of the District Superintendent of Police,
Collectorate Campus,
Dindigul District.

5.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Collectorate Campus,
Dindigul District.

6.The Inspector of Police,
Shanarpatti Police Station,
Dindigul District.
[Crime No.408 of 2023]

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, to direct the 1st respondent to withdraw the cases in Crime No.408 of 2023 on the file of the 6th respondent police, Shanarpatti Police Station and entrust the same to the other investigation officer not below the rank of DSP in CB-CID.

For Petitioners : Mr.S.Chandra Sekar

For R1 and R2 : Mr.AS.Abul Kalaam Azad,
Government Advocate (Crl. side)

ORDER

The petitioner / defacto complainant in Crime No.408 of 2025 on the file of the Shanarpatti Police Station has filed this petition for



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a direction to transfer the investigation in Crime No.408 of 2023 to
CB-CID.

2.The learned Counsel for the petitioner submits that he is the victim of a crime and the accused in Crime No.408 of 2023 had by promising the petitioner to get him government job cheated to the tune of Rs.5,27,000/-. According to him, apart from the petitioner the accused has cheated several others also. He has lodged a complaint before the respondent police on 08.01.2023 and the same has not been registered by the 6th respondent Inspector of Police, Shanarpatti Police Station. Thereafter he lodged a complaint before the Superintendent of Police on 20.01.2023. Even thereafter the respondent police has not registered the case. Therefore, the petitioner has filed a private complaint before the learned Judicial Magistrate No.II, Dindigul under Section 156(3) CrPC in CrMP.No. 2879 of 2023 and it was allowed by order dated 10.02.2023. Even thereafter the respondent police has not registered the case. Therefore, the petitioner was made to lodge a complaint before the



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Inspector General of Police on 30.11.2023. Only thereafter the respondent police has registered the case. Even after registration of the case, they have not conducted any investigation in order to favour the accused.

3.The learned Government Advocate appearing for the respondent police submits that for the occurrence said to have taken place on 12.05.2022, the petitioner preferred the complaint after a period of six months. The accused is in abroad. Immediately after registration of the case, they have issued look out circular.

4.This court considered the rival submissions made.

5.The petitioner has lodged a complaint to the Inspector of Police and the Superintendent of Police and they have not been acted upon. Thereafter he filed a private complaint and it was allowed. It was also not complied with for several months. The petitioner lodged a complaint before the Inspector General of Police. Only



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thereafter the complaint of the petitioner has been registered in Crime No.408 of 2023.

6.The learned Government Advocate is not having answer for the allegation of the petitioner that his complaints dated 08.01.2023 and 20.01.2023 were not considered by the respondent police. The learned Government Advocate is also not having answer for the reasons for not complying with the orders passed by the learned Judicial Magistrate No.2, Dindigul on 10.02.2023.

7.Considering the manner in which the respondent police has treated the petitioner's complaints, registered the case only on 01.12.2023, after a period of 10 months from the direction of the learned Judicial Magistrate, Dindigul on 10.02.2023, this court is of the view that there is a deliberate inaction on the part of the respondent police. Unfortunately, even the complaint lodged before the Superintendent of Police on 20.01.2023 has not been addressed. This court is witnessing the current paper enquiries in civil and



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money disputes are forwarded through the Superintendent of Police, whereas the complaint of this petitioner lodged before the Superintendent of police was not addressed by the Superintendent of Police.

8. In view of the above, this court directs the 3rd respondent Inspector General of Police to withdraw the case in Crime No.408 of 203 from the file of the 6th respondent police and to entrust the same to a sincere officer under his jurisdiction for investigation. The 3rd respondent shall also appoint an officer and ascertain the manner in which the complaint of this petitioner has been dealt with, the reasons for not taking action on the complaint of the petitioner dated 08.01.2023 and 20.11.2023 and the reason for not taking action even after the orders of the learned Judicial Magistrate dated 10.12.2023.

9.The victim is at the mercy of the police officer, whoever high he may be, he has to depend upon the police. The police have



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to take care of the grievances of the victim. Hope 3rd respondent would take necessary steps to preserve the majesty and integrity of the department.

10.This petition is allowed in the above terms. Consequently connected miscellaneous petition is closed.

26.08.2025

DSK

To

- 1.The Director General of Police,
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 - 2.The Additional Director General of Police,
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- 6.The Inspector of Police,
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Dindigul District.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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