



Crl.O.P.(MD)No.14110 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.14110 of 2025

Rajendran

... Petitioner

Vs

1.The State of Tamilnadu,
Rep by the Superintendent of Police,
Theni District.

2.The Deputy Superintendent of Police,
Uttamapalayam Sub Division,
Theni District.

3.The Inspector of Police,
Uttamapalayam Police Station,
Theni District.
Crime No.151 of 2025.

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the 1st respondent to withdraw the crime no.151 of 2025 on the file of the 3rd respondent and entrust the same to the some other officer to complete the investigation and file the final report before the concerned Magistrate Court.

For Petitioner
For R1

: Mr. S.Poornachandran
: Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)



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ORDER

The petitioner/complainant in Crime No.151 of 2025, pending on the file of Uthamapalayam police station has filed this petition, seeking a direction for transfer of investigation in the above case.

2.The learned counsel for the petitioner submits that a counter case has also been registered as against the petitioner in Crime No.150 of 2025 by the respondent police. According to him, though the petitioner has suffered grievous injuries, he has not been examined by the respondent police. The respondent police has not conducted the investigation in Crime No.151 of 2025 in a proper manner and therefore, this petitioner has moved this petition, seeking transfer of investigation.

3.Mr.A.S.Abul Kalaam Azad, learned Government Advocate (Crl.side), who takes notice for the first respondent submits that the case in Crime No.150 of 2025 is a case of double murder and



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this petitioner is an accused in Crime No.150 of 2025. In the course of incident, this petitioner has also suffered injuries and therefore, he has lodged a complaint, which was registered in Crime No.151 of 2025. After conducting investigation, they found that the injuries sustained by this petitioner is on account of the incident, that took place in Crime No.150 of 2025 and therefore, they have referred the complaint of this petitioner as a mistake of fact and accordingly, they have filed the final report in Crime No.151 of 2025, before the Judicial Magistrate Court, Uthamapalayam through e-filing, on 22.08.2025, as mistake of fact.

4.The learned counsel for the petitioner has disputed the submissions made by the learned Government Advocate (Crl.side).

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.Seeking transfer of investigation in Crime No.151 of 2025, on the file of the third respondent, the petitioner has approached this Court. Now, it is reported by the respondent police that the



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Investigation has been completed and final report has also been filed before the Judicial Magistrate Court, Uthamapalayam, through e-filing on 22.08.2025 as mistake of fact. In view of the above, this Criminal Original Petition is closed with a direction to the respondent police to serve RCS notice to the petitioner, enabling him to work out his remedy before the concerned Judicial Magistrate Court.

25.08.2025

NCC : Yes/No

Index : Yes/No

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To

- 1.The Superintendent of Police,
Theni District.
- 2.The Deputy Superintendent of Police,
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Theni District.
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B.PUGALENDHI,J

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Order made in
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25.08.2025