



Crl.O.P.(MD)No.15348 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15348 of 2025

R.Deivanai

... Petitioner

Vs.

1.The State of Tamilnadu through
The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The State of Tamil Nadu through
The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the first respondent police to transfer the investigation from second respondent in respect of Crime No.117 of 2025 on the file of the second respondent police to any other competent investigating agency and to file a final report within a time limit.

For Petitioner : Mr.J.Anandkumar

For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor



Crl.O.P.(MD)No.15348 of 2025

WEB COPY

ORDER

The petitioner has sought for a transfer of investigation from the second respondent in respect of Crime No.117 of 2025 on the file of the second respondent to any other competent investigating agency.

2.The case of the petitioner is that based on her complaint, a case was registered in Crime No.117 of 2025 for the offences under Sections 296(b), 118(1), 115(2), 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and that though the FIR was registered on 13.07.2025, the accused in the said case have not been sofar arrested.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that the FIR was registered on 13.07.2025 and it is the discretion of the respondents as to whether arrest is necessary in a particular case. He would further submit that there is a counter case against the petitioner as well.

4.The investigation cannot be said to be defective merely because the accused in the case have not been arrested. It is seen from the statement made by the learned Additional Public Prosecutor that there is a counter case against



Crl.O.P.(MD)No.15348 of 2025

the petitioner. Therefore, this Court finds no reason to transfer the investigation.

5.With the above observation, this Criminal Original Petition is dismissed.

16.09.2025

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

To

- 1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 2.The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.15348 of 2025

SUNDER MOHAN, J.

cp

Crl.O.P(MD).No.15348 of 2025

16.09.2025