



Crl.O.P.(MD)No.15908 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.15908 of 2025

Rajamarthandan

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Sivagangai.

2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Karaikudi, Sivagangai District.

3.The Inspector of Police,
Kundrakudi Police Station,
Cr.No.48 of 2025.

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to transfer the investigation in Crime No.48 of 2025 on the file of the 3rd respondent/Kundrakudi Police Station to any other independent investigation agencies within the time stipulated by this Court.

For Petitioner : Mr.S.Ramsundarvijayraj

For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

WEB COPY This Criminal Original Petition has been filed to direct the respondents to transfer the investigation in Crime No.48 of 2025 on the file of the 3rd respondent/Kundrakudi Police Station to any other independent investigation agencies within the time stipulated by this Court.

2. The petitioner is the husband of the first accused. The allegation is that at the instance of the first accused, he was attacked by her associates / accused Nos.2 to 4. The grievance of the petitioner is that an FIR was registered only for the offences under Section 115(2) and 351(2) of BNS, 2023 and not for the offence of attempt to murder under Section 109 BNS and voluntarily causing hurt under Section 117 BNS and hence, the investigation has to be transferred.

3. The learned Additional Public Prosecutor, on instructions, would submit that the investigation is being conducted and the final report would be filed in the near future.

4. This Court finds from the medical records that there is no material, prima facie, to substantiate the offences under Section 109 or 117 of BNS. Hence, the reason stated by the learned counsel for the petitioner for



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transferring the investigation is not justified. However, the third respondent is directed to conduct the investigation fairly and conclude it as expeditiously as possible. It is needless to say that if the respondents during investigation detect the commission of any other offence, they may include the said offence in the Final Report.

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

22.09.2025

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

Indu

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Sivagangai.
- 2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Karaikudi, Sivagangai District.
- 3.The Inspector of Police,
Kundrakudi Police Station,
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SUNDER MOHAN, J.

Indu

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