



CRL OP(MD). No.17134 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 15/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.17134 of 2025

Sumitha

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep by the Superintendent of Police,
O/o.The Superintendent of Police,
Virudhunagar District.

2.The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
Sattur,
Virudhunagar District.
(Crime No.37 of 2024).

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to transfer the Investigation in Crime No.37 of 2024 on the file of the Inspector of Police, All Women Police Station, Virudhunagar District/ Respondent herein to any other higher officer under the direct supervision of the first Respondent herein.

For Petitioner : Mr.R.Ilayaraja,

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor



CRL OP(MD), No.17134 of 2025

ORDER

WEB COPY

The petitioner seeks the transfer of investigation in Crime No.37 of 2024 for the offences under Sections 498(A), 294(b), 406, 420, 506(i) of IPC, Section 4 of Dowry Prohibition Act and Section 4 of Tamil Prohibition of Harassment of Women Act, from the file of first respondent to any other higher officer under the direct supervision of the first respondent herein.

2.According to the petitioner, though the complaint was lodged on 18.09.2024, none of the accused have been arrested and that the respondents had not objected to the anticipatory bail petitions filed by the accused and that the petitioner's jewels have not been recovered.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the complaint was lodged not only against the petitioner's husband, but also against eleven other relatives of the husband; that the respondent police are conducting the investigation in an effective manner; that the investigation cannot be faulted merely because the accused have not been arrested and that pending the



CRL OP(MD). No.17134 of 2025

investigation, the respondent police cannot direct the accused to compensate the petitioner.

4.This Court is of the view that the reasons stated by the petitioner for the transfer of investigation are not valid grounds for transfer. The respondent police cannot be faulted for not arresting the accused as anticipatory bail was granted by this Court in CrI.O.P(MD) No.17288 of 2024 on 16.12.2024. Therefore, this Court is not inclined to transfer the investigation. However, the respondents shall conclude the investigation and file a final report within a period of two months from the date of receipt of a copy of this order.

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

15.10.2025

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

TO

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Virudhunagar District.

3/4



WEB COPY



CRL OP(MD). No.17134 of 2025

SUNDER MOHAN,J

CP

2.The Inspector of Police,
All Women Police Station,
Sattur, Virudhunagar District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.17134 of 2025

Date : 15/10/2025