



CRL OP(MD). No.17435 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 25/10/2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

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... Petitioner

Vs

1.The Commissioner of Police,
Commissioner of Police Office,
Trichy District.

2.The Assistant Commissioner of Police,
AC Office, (Law and Order)
Srirangam Zone
Trichy District.

3The Inspector of Police,
Fort Police Station,
Trichy District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to transfer the investigation of Crime No.566 of 2025 dated 21.08.2025 from the 3rd respondent to the 2nd respondent herein or any other independent investigation agency or not less than cadre of Assistant Commissioner of Police, in Trichy District, in the light of petitioner's representation dated 15.09.2025 for free and fair investigation within a stipulated period as may fixed by this Court.



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For Petitioner : Mr.R.Sakthivel,
Advocate.

For Respondents : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

ORDER

The petitioner seeks the transfer of the investigation in Crime No. 566 of 2025 from the file of the third respondent to the second respondent or any other independent investigation agency, based on his representation dated 15.09.2025.

2.The main grievance of the petitioner is that the accused broke open the front gate of his office; that they damaged the case records and other furniture, which was also recorded in the CCTV footage; that the respondent police have not arrested the accused so far and that the respondents have not included certain offences in the earlier complaint given by him in Crime No.1206 of 2023.

3.This Court is of the view that the investigation cannot be transferred merely because the accused have not been arrested and it is for the Investigating Officer to decide whether an arrest is required,



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especially when all the offences are punishable with less than seven years imprisonment. Furthermore, if the petitioner is aggrieved by any inaction of the respondent police on his earlier complaint, it is for him to seek independent remedy for the same. Therefore, this Court sees no reason to transfer the investigation. The respondent police shall conduct the investigation in Crime No.566 of 2025 in an expeditious manner and file a final report within a period of three months from the date of receipt of a copy of this order.

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

25.10.2025

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

1. The Commissioner of Police,
Commissioner of Police Office,
Trichy District.

2. The Assistant Commissioner of Police,
AC Office, (Law and Order)
Srirangam Zone
Trichy District.

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SUNDER MOHAN,J

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3.The Inspector of Police,
Fort Police Station,
Trichy District.

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

ORDER
IN
CRL OP(MD) No.17435 of 2025

Date : 25/10/2025