



CRL OP(MD)No.20787 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :26.11.2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.20787 of 2025

Lakshmana Sathiyaraj

... Petitioner

Vs

The State of Tamil Nadu Rep By,
1.The Inspector General of Police,
Southern Region,
Madurai.

2.The Superintendent of Police ,
Thoothukudi District.

3.The Deputy Superintendent of Police,
Thoothukudi District and Division.

4.The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
Cr.No.404/2025.

... Respondents

PRAYER :- Criminal Original Petition is filed under Section 528 of BNSS, to direct the 1st and 2nd respondents to transfer the investigation in Cr.No.404/2025 on the file of the 3rd and 4th respondents to any other competent officer or CBCID specialized agency in order to conduct proper investigation and to cull out the truth.

For Petitioner : Mr.S.Vishnuvardhan



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For R1 to R4 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the respondents 1 and 2 to transfer the investigation in Crime No.404 of 2025 on the file of the fourth respondent to any other competent officer.

2.It is a case of the petitioner that he had lodged a complaint in Crime No.404 of 2025 for the offences under Sections 49, 126(2), 115(2), 118(1) and 351(3) of BNS, alleging commission of offences by the accused named in the FIR; that the respondent police have so far not arrested the accused; that though the accused had threatened the witnesses, no action has been taken by the respondent police and that this Court may transfer the investigation.

3.The learned Additional Public Prosecutor appearing for the respondent police submit that the accused have surrendered and obtained bail; that the investigation has progressed substantially; that 17 witnesses have been examined; that the case cannot be transferred merely because



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the accused have not been arrested; that the respondent police would conduct an inquiry on the subsequent representation made by the petitioner alleging that the accused had threatened him with dire consequences.

4.The allegations made by the petitioner do not warrant the transfer of investigation. It is for the respondent police to decide as to whether an arrest is required or not. In this case, the accused have admittedly surrendered and obtained bail. If the accused are threatening the petitioner, the alleged threat made by them would not be a ground for transferring the investigation. However, the third respondent is directed to conduct an enquiry on the said complaint and take appropriate action as expeditiously as possible.

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

26.11.2025

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

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SUNDER MOHAN,J

CP

To

- 1.The Inspector General of Police,
Southern Region, Madurai.
- 2.The Superintendent of Police ,
Thoothukudi District.
- 3.The Deputy Superintendent of Police,
Thoothukudi District and Division.
- 4.The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER IN
CRL OP(MD) No.20787 of 2025

26.11.2025

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