



Crl.O.P.(MD)No.725 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.725 of 2025

S.Rajagurubakkiyam

... Petitioner

Vs.

1.The Superintendent of Police,
Collectorate Complex,
Virudhunagar District.

2.The Inspector of Police,
District Crime Branch,
Virudhunagar District.

3.The Inspector of Police,
Keelarajakularaman Police Station,
Virudhunagar District.
Crime No.92 of 2023

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to transfer the investigation in Crime No.92 of 2023 on the third respondent police station to the second respondent police.

For Petitioner	: Ms.R.Vidhya for M/s.Madhavan Law Associates
For Respondents	: Mr.A.Thiruvadikumar Additional Public Prosecutor



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ORDER

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The petitioner/defacto complainant has lodged a complaint before the learned Judicial Magistrate, Rajapalayam. The learned Judicial Magistrate, Rajapalayam, had directed the respondent police to register the case by order dated 09.03.2023. Thereafter, the second respondent took its own time, after four months, on 19.07.2023, FIR has been registered and it is almost 18 months, now no action has been taken, except for registering FIR, the forged document have not been collected and except one Vijayalakshmi, Government Officer, no one had been arrayed as accused in this case. It is a clear case of conspiracy, wherein there has been impersonation with false particulars and thereby, the property of the defacto complainant/petitioner has been cheated and misappropriated by the accused. A detailed investigation is required in this case, but nothing has been done.

2. The learned Additional Public Prosecutor submitted that it is a case of forgery and cheating. The petitioner along with complaint had given opinion obtained from the expert, namely, Truth Foundation to show that forgery has been committed. But the respondent police so far



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had not collected the document and investigation is proceeding. The respondent police station is regular police station, wherein law and order issue happened daily. He fairly submitted that such type of offence can be effectively investigated by the second respondent.

3. In view of the above, this Court transferred the investigation in Crime No.92 of 2023 from the file of the third respondent to the file of second respondent. The third respondent to submit case diary in Crime No.92 of 2023 to the second respondent. Thereafter, the second respondent /District Crime Branch to re-register the FIR and proceed with the investigation and complete the same without further delay. If such seizure of document is required, the same is also to be carried.

4. With the above direction, this Criminal Original Petition is allowed.

20.01.2025

NCC : Yes / No
Index : Yes / No
Rmk



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Keelarajakularaman Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

Rmk

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