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CrI.OP.No.1752 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2026

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.OP.No.1752 of 2026

Samuel Christain

...Petitioner

Vs.

1. The Commissioner of Police,  
Office of the Commissioner of Police,  
Greater Chennai Police,  
E.V.K Sampath Salai, Vepery,  
Chennai.

2. The Inspector of Police,  
F-4, Thousand Lights Police Station,  
Triplicane, Chennai.

...Respondents

Criminal Original Petition filed under Section 528 of BNSS, 2023 to direct the 1<sup>st</sup> respondent police to transfer the investigation based on the complaint of the petitioner dated 02.08.2024 from the 2<sup>nd</sup> respondent to CBCID in accordance with law and file final report within a stipulated time.

For Petitioner : Mr.C.Raja

For Respondents : Mr.S.Santhosh, GA(Crl. Side)



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## **ORDER**

This criminal original petition has been filed seeking to direct the 1<sup>st</sup> respondent to transfer the investigation in the petitioner's complaint dated 02.08.2024 from the file of the 2<sup>nd</sup> respondent to CBCID in accordance with law and to consequently, file a final report within the time stipulated by this Court.

2. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the respondents, on instructions, submitted that though the petitioner made a complaint as against one T.M.Akash on 02.08.2024, as no case was made out by the petitioner, the respondent police did not take any action on the said complaint. Aggrieved by the same, the petitioner filed a petition under Section 156(3) of Cr.P.C. in CrI.MP.No.66875 of 2024 before the XIV Metropolitan Magistrate Court, Egmore, Chennai, seeking to direct the respondent police to register an FIR on the basis of his complaint. Pursuant to the order dated 10.01.2025 made in the said petition, directing the 2<sup>nd</sup> respondent to conduct a detailed enquiry on the petitioner's complaint and to proceed to file a report if any material



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evidence is found, the 2<sup>nd</sup> respondent filed a closure report dated 03.04.2025 stating that after conducting due investigation, no material evidence was found to substantiate his case/claim. He further submitted that if at all the petitioner is aggrieved, he should have challenged the said report in the manner known to law. However, without doing so, filing the present petition seeking transfer of investigation on the petitioner's complaint dated 02.08.2024 from the file of the 2<sup>nd</sup> respondent to CBCID at this juncture is not sustainable.

3. Heard the learned counsel on either side and perused the materials available on record.

4. The facts are not in dispute. As rightly pointed out by the learned Government Advocate (Criminal Side), when the respondent police have filed a report dated 03.04.2025 before the learned XIV Metropolitan Magistrate, Egmore, Chennai closing the complaint, the question of transfer of the petitioner's complaint does not arise.



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5. In view of the above, this Court is not inclined to grant the prayer sought by the petitioner. However, the petitioner is at liberty to challenge the said closure report dated 03.04.2025 in the manner known to law and work out his remedy in the manner to law, if so advised.

6. This criminal original petition stands closed, accordingly.

**29.01.2026**

skt

Index : Yes/No  
Speaking order : Yes/No  
NCC : Yes/No

To:

1. The Commissioner of Police,  
Office of the Commissioner of Police,  
Greater Chennai Police,  
E.V.K Sampath Salai, Vepery,  
Chennai.
2. The Inspector of Police,  
F-4, Thousand Lights Police Station,  
Triplicane, Chennai.
3. The Public Prosecutor,  
Madras High Court.

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**A.D.JAGADISH CHANDIRA, J.**

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