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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

CORAM

THE HONOURABLE MR.JUSTICE M. NIRMAL KUMAR

CrI.O.P.No. 6155 of 2026

V. Vinotha

..Petitioner

Vs.

1. The Superintendent of Police,
CBCID Unit, Thuraimangalam,
Perambalur.
2. The Superintendent of Police,
Perambalur District, Perambalur.
3. The Deputy Superintendent of
Police,
Perambalur District,Perambalur.
4. The Inspector of Police,
All Women Police Station,
Perambalur.
(Crime No. 3 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under Section 527 of BNSS to transfer the investigation in crime No. 3 of 2026 pending on the file of the



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Inspector of Police, All Women Police Station, Perambalur to the CBCID Unit, Perambalur.

For Petitioner :: Mr.N. Lavanya

For Respondents :: Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor for
R1 to R4

O R D E R

This criminal original petition is filed seeking to transfer the investigation in crime No. 3 of 2026 pending on the file of the Inspector of Police, All Women Police Station, Perambalur to the CBCID Unit, Perambalur.

2. The case of the petitioner is that her daughter, aged 14 years and studying in IX standard, was sexually harassed by three persons on 19.12.2025 and on the complaint given by the petitioner to the All Women Police Station, Perambalur, a case was registered for offences under Sections 296(b) and 115(2) of BNS and Sections 7 and 8 of POCSO Act in Crime No. 3 of 2026. According to the petitioner, the 4th respondent registered the case only after sending complaints to so many other authorities and finally, pursuant to the complaint made to the Mahila Judge, Perambalur and the 2nd



respondent, the case had been registered by the 4th respondent for the offences aforesaid. However, subsequently, no action has been taken and the accused are yet to be arrested by the 4th respondent. Given the tardy approach of the 4th respondent Police, the petitioner apprehends that the investigation, if conducted by the 4th respondent, would not be fair and proper and hence, the present petition with the prayer aforesaid.

3. The petitioner, as de facto complainant, lodged a complaint against three named persons for offences under Sections 296(b) and 115(2) of BNS and Sections 7 and 8 of POCSO Act. The contention of the petitioner is that FIR was registered on 09.01.2026 and she had given the details about how the named accused committed the offence under POCSO Act and the victim had clearly given her statement in this regard. However, the respondent Police had neither conducted any investigation nor examined any witnesses. In the meanwhile, the victim was produced before the Magistrate and she had given all details in her statement before the Magistrate. Though these facts were available with the respondent Police, they have not filed the final report.



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4. Learned Additional Public Prosecutor submitted that after registration of FIR, investigation was completed, victim's 164 statement was considered and thereafter, the case was closed as 'mistake of fact'. RCS notice served to the petitioner on 31.01.2026. Since the petitioner refused to receive the same, it was stuck on the wall of the petitioners' house and these facts have been suppressed and the present petition has been filed.

5. A copy of the RCS notice and the closure report have been now served on the learned counsel for the petitioner. In view of the fact that the case has been closed as 'mistake of fact', this Court is not inclined to entertain this petition. However, liberty is given to the petitioner to file a protest petition, if so advised, before the Court concerned within a period of 15 days from the date of receipt of a copy of this order. The Court concerned shall entertain the petitioner's petition, consider the objections raised in the protest petition and dispose of the same in accordance with law.

6. The criminal original petition is disposed of accordingly.

10.03.2026

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(Note to Office: Issue order copy on **16.03.2026**)

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- To
1. The Superintendent of Police,
CBCID Unit, Thuraimangalam,
Perambalur.
 2. The Superintendent of Police,
Perambalur District, Perambalur.
 3. The Deputy Superintendent of
Police,
Perambalur District, Perambalur.
 4. The Inspector of Police,
All Women Police Station,
Perambalur.
 5. The Public Prosecutor,
High Court, Madras.



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M. NIRMAL KUMAR,J.

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