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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2026

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.8176 of 2026
and Crl.M.P.No.5783 of 2026

CNR: {HCMA010668972026}

A.S.Suganthi @ V.Sukanthi
W/o. M. Velmurugan,
Partner M/s.Sri SPK Real Estate,
No. 2/75, Kudi Street,
Thokkavadi,
Tiruchengode T.K.,
Namakkal D.T.

..Petitioner(s)

Vs

1. State of Tamilnadu Rep. by
   The Deputy Superintendent of Police
   District Crime Branch,
   Namakkal.

2. The Superintendent of Police
   Controlling Officer of Namakkal CBCID,
   CBCID, Chennai.

3. The Inspector of Police
   CBCID,
   Namakkal District.
   Cr.No. 02/2025.

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4. The Superintendent of Police
   Economic Offences Wing,
   Central Bureau of Investigation,
   Shastri Bhavan,
   Chennai.

5. P.Sengodan
   S/o. Periyagounder,
   D.No.10, Street No.8,
   CHB Colony, Vellore Road,
   Tiruchengode,
   Namakkal District.
   (R5 impleaded as per the order dated
   29.10.2026 made in Crl.M.P.Nos.20900 &
   20901of 2026 in Crl.O.P.No. 8176 of 2026)

6. A.S. Prabhu,
   S/o. P.Sengodan,
   D.No.10, Street No.8, CHB Colony,
   Vellore Road, Tiruchengode,
   Namakkal District.
   (R6 impleaded as per the order dated
   29.10.2026 made in Crl.M.P.Nos.20900 &
   20901 of 2026 in Crl.O.P.No. 8176 of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to transfer the investigation in respect of FIR in Crime No.02 of 2025 from the file of the The Inspector of Police, CBCID, Namakkal District to the Central Bureau of Investigation or to any other independent agency or any higher official having integrity and honesty nominated by this Court and further this Court may be pleased to monitor the investigation so as to ensure fair and proper investigation.

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For Petitioner(s): Mr. R. Srinivas, Senior Counsel
For Mr. N.U. Prasanna

For Respondent(s): Mr. R. John Sathyan,
State Public Prosecutor
Assisted by Mr. A Amarnath
Additional Public Prosecutor for R1 to R4

Mr. Abdu Kumar Rajarathinam,
Senior Counsel
For Mr. T.N. Rangeshkanna for R5

Mr. E.K. Kumaresan for R6

ORDER

This petition has been filed to transfer the investigation in respect of FIR in Crime No.02 of 2025 from the file of the Inspector of Police, CBCID, Namakkal District to the Central Bureau of Investigation or to any other independent agency.

2. The petitioner lodged a complaint alleging that she, along with her mother, father and brother, had been carrying on a real estate business by forming an unregistered partnership firm in the name of M/s. Sri SPK Real Estate since 18.06.2003, in which she held a 30% share, while her father held a 10% share and the other two partners held 30% each. It is alleged that, from the year 2021 onwards, the other partners had been passing resolutions and

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selling the properties without furnishing the accounts to the petitioner despite her repeated requests. On obtaining the encumbrance certificate, she came to know that she had been cheated by the other partners. It is further alleged that, by executing a reconstitution deed dated 18.03.2023 and registering the same before the Sub-Registrar Office, Tiruchengode, the other partners had fraudulently removed her from the partnership firm by forging her signature and without issuing any notice to her. Hence, the petitioner lodged a complaint, and the same was registered in Crime No.11 of 2023 on the file of the District Crime Branch, Namakkal. Thereafter, it was transferred to the file of the third respondent and renumbered as Crime No.02 of 2025 for the offences punishable under Sections 120B, 465, 468, 471, 420, 409 and 109 of IPC. To transfer the said case to the Central Bureau of Investigation, the petitioner filed the present petition.

3. The learned Senior Counsel appearing for the petitioner submitted that, after the transfer of the investigation to the file of the third respondent herein, the FIR was re-registered in Crime No.2 of 2025. Thereafter, the third respondent did not proceed with the investigation by securing the accused, though the anticipatory bail petitions filed by accused Nos.1 and 2 had been dismissed. Further, the third respondent did not even send the documents to the

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forensic laboratory to obtain an expert opinion regarding the alleged forged signature of the petitioner. Hence, he prayed for transfer of the case to the Central Bureau of Investigation.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. On perusal of the status report filed by the third respondent and also on the submissions made by the learned counsel appearing on either side, it is revealed that the first accused is the father, the second accused is the mother and the third accused is the petitioner's own brother. The dispute arose between the family members in respect of the partnership firm, and the resolution was passed by forging the petitioner's signature. Based on the said resolution, all the properties of the firm were sold. Now, the investigation is about to be completed. Therefore, the grounds raised by the petitioner cannot be considered for transferring the investigation in Crime No.2 of 2025 from the file of the third respondent to the fourth respondent.

6. However, considering the facts and circumstances of the case, the third respondent is directed to complete the investigation in Crime No.2 of

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2025 within a period of twelve weeks and file the final report before the concerned Court. It is also made clear that, during the investigation, all the forged documents shall be secured and the investigation shall be completed in accordance with law. The second respondent is directed to monitor the investigation conducted by the third respondent and ensure that the directions issued by this Court are complied with by the third respondent.

7. With the above directions, the Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

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(½)

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

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To

1. The Deputy Superintendent of Police
District Crime Branch,
Namakkal.

2. The Superintendent of Police
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CBCID, Chennai.

3 The Inspector of Police
CBCID,
Namakkal District.
Cr.No. 02/2025.

4. The Superintendent of Police
Economic Offences Wing,
Central Bureau of Investigation,
Shastri Bhavan, Chennai.

5. The Public Prosecutor,
Madras High Court, Chennai.

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G.K.ILANTHIRAIYAN. J,

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