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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 32663 of 2026

CNR:{HCMA012653902026}

Case QR

R.Balakrishnan
S/o Ramalinga Gounder
No.192, Nadu Street,
Vadamamandur Village,
Vanapuram Taluk,
Kallakurichi District - 605 702.

..Petitioner(s)

Vs

1. The Superintendent of Police
   District Police Office,
   Kallakurichi

2. State represented by Inspector of Police
   E-8, Moongilthuraipattu Police Station,
   Vanapuram, Kallakurichi District
   Crime No. 86 of 2026.

3. P.Padmanathan
   S/o Pramasivam,
   Vadamamandur Village,
   Vanapuram Taluk,
   Kallakurichi District

..Respondent(s)

Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to transfer/entrust the investigation in Crime No.86 of 2026 pending on the file of E-8 Moongilthuraipattu Police Station, Kallakurichi District, to the file of the Crime Branch-Criminal Investigation Department (CB-CID), or to any other independent agency deemed fit by this Court, to conduct a fair, impartial and effective investigation in accordance with law.

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For Petitioner(s): Mr.G.Murugendran
For RR 1 and 2: Mr.R.Ganesh Kumar
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to transfer/entrust the investigation in Crime No.86 of 2026 pending on the file of E-8 Moongilthuraipattu Police Station, Kallakurichi District, to the file of the Crime Branch-Criminal Investigation Department (CB-CID), or to any other independent agency deemed fit by this Court, to conduct a fair, impartial and effective investigation in accordance with law.

2. Heard the learned counsel for the petitioner and perused the materials placed on record.

3. The learned counsel appearing for the petitioner submitted that on the complaint lodged by the petitioner, the second respondent police registered a case in Crime No.86 of 2026 for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023. He further submitted that despite the serious nature of occurrence, the alleged use of a billhook, the injuries sustained by the complainant and his sons, and the availability of medical evidence, the second respondent police did not register the FIR under the appropriate offences.

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4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that the investigation is in progress and that, if any incriminating evidence becomes available, the offences will be altered accordingly when filing the final report.

5. In view of the above, this Court is not inclined to transfer the investigation in Crime No.86 of 2026 from the file of the second respondent to another investigating agency. However, the second respondent shall complete the investigation and file final report in Crime No.86 of 2026 within a period of twelve weeks from the date of receipt of a copy of this order. If any incriminating evidence is available attracting any other offences, the second respondent shall alter the offences in the FIR accordingly and file the final report. The first respondent shall monitor the investigation conducted by the second respondent in Crime No.86 of 2026.

6. With the above directions, this criminal original petition stands disposed of.

11-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
nsd

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To

1. The Superintendent of Police
   District Police Office,
   Kallakurichi

2. The Inspector of Police
   E-8, Moongilthuraipattu Police Station,
   Vanapuram, Kallakurichi District

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

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G.K.ILANTHIRAIYAN J.

nsd

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