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Crl.O.P.(MD).No.193 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD)No.193 of 2026

K.Karuppusamy

...Petitioner/

Defacto Complainant

Vs

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Deputy Superintendent of Police,
Sattur Sub Division,
Virudhunagar District.
3. State of Tamil Nadu,
Represented by
The Inspector of Police,
Sattur Town Police Station,
Virudhunagar District.
(Crime No.400 of 2025)
4. The Deputy Superintendent of Police,
CBCID,
Superintendent of Police Office Complex,
Collectorate,
Virudhunagar District.

... Respondents/
Complainants



Crl.O.P.(MD).No.193 of 2026

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to transfer the case in Crime No.400 of 2025 on the file of the third respondent to the fourth respondent and further direct the fourth respondent to investigate and to file final report within the time stipulated by this Court.

For Petitioner : Mr.P.R.Prithiviraj

For Respondents : Mr.R.Meenakshi Sundaram
Additional Government Pleader

ORDER

The present Criminal Original Petition has been filed by the defacto complainant in Crime No.400 of 2025 on the file of the third respondent police station seeking transfer of investigation from the file of the third respondent to the file of the fourth respondent.

2. According to the learned counsel appearing for the petitioner, the daughter of the petitioner was given in marriage to the accused person, namely, one Arunkumar and she had committed suicide on 12.12.2025. The FIR has been registered in Crime No.400 of 2025 on 12.12.2025 on the file of the Sattur Town Police Station.



Crl.O.P.(MD).No.193 of 2026

3. According to the learned counsel appearing for the petitioner, the accused person is working as a Sub Inspector of Police in the same police station, namely, Sattur Town Police Station. Therefore, the authorities have not conducted any proper investigation, they have registered the FIR only under Section 194(3) of BNSS Act initially, and thereafter they have altered it only to Section 306 of IPC. According to him, it is a clear case of dowry death and therefore, relevant provisions of BNS have not been invoked. Therefore, he seeks for transfer of investigation to the third respondent.

4. The learned Additional Public Prosecutor appearing for the third respondent submitted that the accused person has been suspended and he is no longer working in Sattur Town Police Station. He further submitted that though initially FIR was registered under Section 174 of IPC, later it was altered to Section 306 of IPC and investigation is being conducted in a proper manner. He further submitted that the question of transfer of investigation does not arise.

5. Heard both sides and perused the materials available on record.



Crl.O.P.(MD).No.193 of 2026

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6. Considering the fact that the accused person is a police official and the FIR has been registered in the same Police Station, in which, he was working as Sub Inspector of Police at the relevant point of time, this Court is inclined to direct the first respondent herein to monitor the investigation and without obtaining any prior permission or consent from the first respondent, the third respondent cannot file charge sheet. The entire investigation shall be monitored by the first respondent.

7. With the above said observation, this Criminal Original Petition is disposed of.

26.03.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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Virudhunagar District,
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2. The Deputy Superintendent of Police,
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Virudhunagar District.
3. The Inspector of Police,
Sattur Town Police Station,
Virudhunagar District.
(Crime No.400 of 2025)
4. The Deputy Superintendent of Police,
CBCID,
Superintendent of Police Office Complex,
Collectorate,
Virudhunagar District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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Crl.O.P(MD)No.193 of 2026

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