



*Crl.O.P.(MD)No.1191 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.01.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.1191 of 2026  
& Crl.M.P.(MD)No.1259 of 2026

R.Messi Agustinal

... Petitioner

Vs.

1.State of Tamilnadu Rep. By,  
The Superintendent of Police,  
Thoothukudi.

2. The state of Tamil Nadu,  
Represented by the Inspector of Police,  
DCB Police Station,  
Thoothukudi District.  
(Crime No. 43 of 2025)

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 seeking to transfer the investigation in Crime No.43 of 2025 pending on the file of the 2<sup>nd</sup> respondent to the 1<sup>st</sup> respondent for the proper and fair investigation in the matter.

For Petitioner : Mr.S.Pandeeswaran

For Respondent : Mr.M.Sakthi Kumar

Government Advocate (Crl.)



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## **ORDER**

The petitioner seeks transfer of the investigation in Crime No.43 of 2025 pending on the file of the 2<sup>nd</sup> respondent to the 1<sup>st</sup> respondent for the proper and fair investigation.

2. The learned counsel for the petitioner submitted that the petitioner had lodged a complaint against five persons with regard to misappropriation of an amount of Rs.1,00,00,000/- before the second respondent police. However, the respondent police has registered the case against only two persons and is dragging on the investigation without any progress. It is also pointed out that the entire property has been grabbed by the said five accused persons and the petitioner has already been thrown to streets. However, the respondent police is not making any progress in the investigation.

3. The learned Government Advocate appearing for the respondent police submitted that the FIR in the present case was registered on 12.11.2025. The petitioner had borrowed a loan from the South Indian Bank, which was subsequently settled in full by the accused persons. Thereafter, a sale agreement



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was executed by the petitioner in favour of the accused persons, and the petitioner has since vacated the house and is residing elsewhere. Pursuant to the complaint lodged by the petitioner, an FIR came to be registered. It is further submitted that both the accused persons have filed anticipatory bail petitions which are pending consideration before this Court and the respondent police, is not dragging on the proceedings and is conducting the investigation as per law.

4. Heard the learned counsel on either side and carefully perused the materials placed on records.

5. On hearing the submissions made, it is understood that petitioners are already in streets and they have been sent out of the dwelling house. Under such circumstances, the second respondent police is directed to. progress with the investigation as expeditiously as possible within a period of four weeks from the date of receipt of a copy of this order. The first respondent is directed to monitor the investigation conducted by the second respondent. The second respondent is directed to appraise the progress of the investigation to the first respondent every Friday.



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

**22.01.2026**

NCC : Yes / No  
Index : Yes / No  
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**TO:-**

1. The Superintendent of Police,  
Thoothukudi.
2. The Inspector of Police,  
DCB Police Station,  
Thoothukudi District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**L.VICTORIA GOWRI, J.**

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Order made in  
Crl.O.P.(MD)No.1191 of 2026

Dated  
22.01.2026