



CRL OP(MD). No.2878 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12/02/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.2878 of 2026

P.Suba,

... Petitioners

Vs

1. The State of Tamilnadu,
Rep by the Principal Secretary,
Home Department,
St.George Fort,
Chennai..
2. The Director General of Police
No.4, D.Radhakrishnan Salai,
Chennai..
3. The Deputy Inspector General of Police,
South Zone,
Madurai..
4. The Commissioner of Police,
Madurai City,
Madurai..
5. The Inspector of Police,
Thirunagar Police Station,
Madurai City.
Crime No.407 of 2025..
6. The Deputy Superintendent of Police,
Cbcid,Visalatchipuram,
Madurai – 16..

... Respondents



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PRAYER :- Criminal Original Petition is filed under Section 528 of BNSS, 2023, to Withdraw and transfer the investigation in Crime No.407 of 2025 dated 29.08.2025 from the file of the 5th Respondent and transfer the same to the 6th respondent or any other impartial Investigating Agency.

For Petitioner : Mr.S.M.Anantha Murugan,
For Respondents : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking a direction to withdraw and transfer the investigation in Crime No.407 of 2025 dated 29.08.2025 from the file of the 5th Respondent and transfer the same to the 6th respondent or any other impartial Investigating Agency.

2. The learned counsel for the petitioner submitted that the petitioner is the defacto complainant in Crime No. 407 of 2025, registered for offences under Sections 296(b), 103(1), 351(3), and 49 of the BNS, 2023, in connection with the murder of her husband. He further submitted that there has been no progress in the investigation since the date of registration of the FIR. Hence, he seeks the indulgence of this Court.



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3. The learned Government Advocate (Criminal Side), appearing for the respondent police submitted that the investigation has been completed and the final report has been filed before the concerned Court. He further submitted that, while filing the final report, the names of three persons were deleted, for which the trial Court has duly served notice upon the petitioner/complainant to submit her objections, if any and the same is pending.

4. Per contra, the learned counsel for the petitioner categorically contended that the primary complaint was against Kurumban and Chandru and that their names have been conveniently deleted by the prosecution agency while filing the final report.

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

6. This Court is of the considered view that even if the investigating agency has deleted the names of Kurumban and Chandru at the time of filing the final report, the petitioner is at liberty to file a protest petition. Since he has already been served with summons to



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submit his objections, if any, before the Trial Court in this regard, the petitioner is hereby directed to file his objections before the Trial Court with respect to the deletion of Kurumban and Chandru.

7. The learned counsel for the petitioner drew my attention to the receipt in C.S.R. No. 637 of 2024 issued to one Paraman, the deceased, as against one Kurumban with respect to a land dispute. He further submitted that, on 28.08.2025, a second complaint was given by the deceased against the said Kurumban and Chandru. Thereafter, on the same day, the petitioner's brother, namely Subash, lodged a complaint against Andaldevan, Selvi, Tharan, and Karan, who are stated to be the henchmen of Chandru. While the petitioner's brother was returning from Thirunagar after lodging the complaint, it was found that the petitioner's husband had been murdered. Subsequently, she lodged a detailed complaint against five persons, namely, Karan, Sethuprasath, Harichandran, Kurumban, and Chandru. Based on the said complaint, the First Information Report was registered. However, thereafter, the investigating agency appears to have decided to delete the names of Kurumban and Chandru while filing the final report.



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8. The learned counsel further contended that Kurumban and Chandru are very much involved in the conspiracy to murder the petitioner's husband and therefore, categorically sought transfer of the investigation.

9. In view of the above, if the petitioner has any grievance, she is at liberty to file a protest petition before the trial Court, and the trial Court is directed to deal with the same in the manner known to law, by due application of mind.

10. With the above directions, this Criminal Original Petition is disposed of.

12.02.2026

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To
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Chennai..
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L. VICTORIA GOWRI,J

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**ORDER
IN
CRL OP(MD) No.2878 of 2026**

Date : 12/02/2026