



Crl.O.P.(MD)No.3505 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.02.2026**

CORAM:

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

Crl.O.P.(MD)No.3505 of 2026

Divya Vanmathi

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. By its the Commissioner of Police,
Madurai City, Madurai.

2. The Assistant Commissioner Of Police,
Koodal Pudur Range, Madurai City,
Madurai.

3. The Inspector of Police,
Koodal Pudur Police Station,
Madurai City.
In Crime No. 1013 of 2025.

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to pass an order of transfer the investigation of the case in Crime No. 1013 of 2025 on the file of the 3rd respondent to any other competent officer not below the rank of Assistant Commissioner of Police and investigate further.

For Petitioner : Mr.B.Viswanathan

For Respondents : Mr.M.Sakthi Kumar

Government Advocate (Crl.)



Crl.O.P.(MD)No.3505 of 2026

ORDER

WEB COPY

This petition has been filed seeking to transfer the investigation of the case in Crime No. 1013 of 2025 on the file of the 3rd respondent to any other competent officer not below the rank of Assistant Commissioner of Police and investigate further.

2. The learned counsel appearing for the petitioner submitted that the petitioner is the defacto complainant in Crime No.1013 of 2025 on the file of the third respondent police, which was registered for the offence punishable under Sections 296(b), 118(1) & 353(3) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. The petitioner contends that she was attacked by her husband and in-laws; however, only minor offences have been included in the FIR, instead of incorporating offences relating to grievous injuries. Hence, she has sought transfer of the investigation. The learned counsel appearing for the petitioner further submitted that the nature of the injury was grievous and had endangered the life of the petitioner at the relevant point of time. It was nothing but an attempt to murder. The petitioner was stabbed in the abdomen with a knife.



Crl.O.P.(MD)No.3505 of 2026

3. However, the learned Government Advocate appearing for the respondent police submitted that on registration of FIR, the petitioner's husband was arrested and remanded to judicial custody and now, he was enlarged on bail and he is also complying with the condition before the 3rd respondent police. It was further submitted that, during the course of the investigation, if it is revealed based on the wound certificate to be produced by the de facto complainant that the nature of the injury is grievous, there would necessarily be an alteration of the relevant sections at the time of filing the final report.

4. Heard the learned counsel on either side and carefully perused the materials available to record.

5. It is seen from the nature of the injury that the petitioner had suffered injuries in her abdomen. The investigation officer is directed to analyze whether the same would have caused death.

6. Recording the submission made by the learned Government Advocate appearing for the respondent police, the third respondent police is directed to expedite the investigation as early as possible and conclude the same within a period of four weeks from the date of receipt of a copy of this order. He is also



Crl.O.P.(MD)No.3505 of 2026

directed to appraise the progress of investigation every Friday to the first respondent and the first respondent is directed to monitor the investigation conducted by the third respondent.

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

19.02.2026

NCC : Yes / No
Index : Yes / No
Sm



Crl.O.P.(MD)No.3505 of 2026

TO:-

WEB COPY

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Assistant Commissioner Of Police,
Koodal Pudur Range, Madurai City,
Madurai.
3. The Inspector of Police,
Koodal Pudur Police Station,
Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.3505 of 2026

L.VICTORIA GOWRI, J.

Sm

Order made in
Crl.O.P.(MD)No.3505 of 2026

Dated
19.02.2026