

Crl.OP.(MD)No.8480 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.06.2026

CORAM :

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.8480 of 2026

1. Jasmine Shafana

2. Sanafar Nisha

...Petitioners

Vs

1. The Commissioner of Police,
O/o. The Commissioner of Police
Madurai, Natham Road
Madurai Road
Madurai District

2. The Inspector of Police
CBCID, Chokkikulam
Madurai District- 625 002

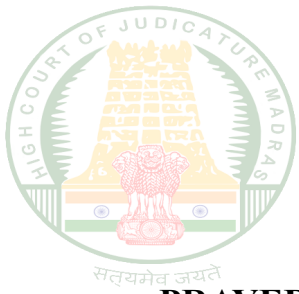
3. The Inspector of Police
W1, Thirunagar Police Station
Thirunagar, Madurai City
Madurai District (Cr.No.74/2026)

4. Nasrin Banu

5. The Inspector of Police
Thiruppankundram Temple Police Station
Thiruppankundram, Madurai District.
(R5 Suo motu impleaded as per order

...Respondents

dated 29/04/2026 in Crl.OP(MD) No.8480/2026 by RVJ)



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PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, To direct the 1st respondent to transfer the investigation of Cr.No.74/2026 registered U/s. 3(d),4(2), 5(g),5(1) r/w 6 of POCSO Act, 2012 from the file of the 3rd respondent to the file of the 2nd respondent and pass such further or other orders.

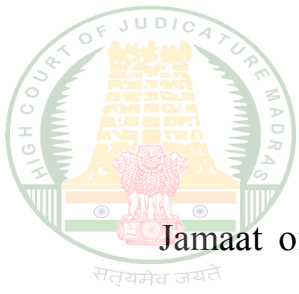
For Petitioners : M/s.M.Thirunavukkarasu
For Respondents : Mr.P.Samuel Gunasingh
Government Advocate (crl.side)
for R1 to R3 & R5

ORDER

The present petition has been filed by the mothers of two juvenile accused persons who are in conflict with law, seeking transfer of the investigation from the file of the third respondent to the second respondent.

2. A perusal of the records reveals that two juveniles have been arrayed as accused persons in Crime No.74 of 2026 for the alleged offences under Sections 3, 4(2), 5(g), and 5(l) read with Section 6 of the POCSO Act, 2012.

3. According to the learned Counsel appearing for the petitioners, the mother of the defacto complainant is in the habit of lodging similar false complaints in the past for the purpose of extracting money. Therefore, the



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Jamaat of the locality has also addressed a communication to the concerned police officials to look into the matter seriously and ensure that the false complaint is dropped.

4. He further submitted that the petitioners have also lodged a complaint before the third respondent alleging that the fourth respondent is threatening them to extract money on the basis of a false complaint. He further submitted that CCTV footage and audio clippings are available with the petitioners in support of the alleged threats made by the fourth respondent.

5. He further submits that the video and audio recordings clearly establish that the case foisted against the juveniles is false. However, despite the filing of complaints against the fourth respondent, the third respondent has not initiated any proper action, and in such circumstances, the petitioners apprehend that there will not be a fair investigation by the third respondent. He further submits that, considering the age of the juveniles and their future, the investigation should be transferred to the second respondent.

6. Per contra, the learned Government Advocate (Crl. Side) appearing for the third respondent would submit that the files relating to the present crime



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number were transferred from the file of the third respondent to the fifth respondent on 10.04.2026. After such transfer, the respondent police have been conducting a proper investigation. He further relied upon the statement recorded under Section 164 Cr.P.C. of the victim boy before the learned Judicial Magistrate No. VI, Madurai, in support of his submissions. He also contended that, after the case was transferred to the fifth respondent, no fresh complaint or representation has been received from the petitioners. Therefore, the petitioners cannot seek a direction to transfer the investigation, which is already being duly proceeded with by the police officials.

7. Heard the learned Counsel appearing on either side and perused the materials available on record.

8. As could be seen from the submissions made by the learned Counsel for the petitioners, the primary grievance is that the representations and the audio and video files submitted before the third respondent have not been taken into consideration for the purpose of establishing that the case foisted against the two juveniles is false. There are no serious allegations against the fifth respondent, to whom the present criminal proceedings were transferred on 10.04.2026.



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9. In such circumstances, this Court is of the considered opinion that the petitioners shall place all the materials, including CCTV footage and audio & video files, before the fifth respondent within a period of 10 days from the date of receipt of a copy of this order. The fifth respondent is directed to consider the said materials and thereafter proceed with the investigation and file the charge sheet on or before **31.08.2026**. The investigation shall be monitored by the Deputy Commissioner of Police, Madurai City South, Madurai.

10. With the above said observations, this Criminal Original Petition stands disposed of.

19.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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R.VIJAYAKUMAR, J.

gvn

To:

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Madurai Road
Madurai District

2. The Deputy Commissioner of Police,
Madurai City South,
Madurai.

3. The Inspector of Police
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Thirunagar, Madurai City
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5. The Inspector of Police
Thiruppankundram Temple Police Station
Tiruppankundram, Madurai District.

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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