



Crl.O.P.(MD)No.25 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.01.2026**

CORAM:

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

Crl.O.P.(MD)No.25 of 2026

Malaiselvam

... Petitioner

Vs.

1.The State of Tamil Nadu,
The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Kalaiyarkovil Police Station,
Kalaiyarkovil,
Sivagangai District.
Crime No.256 of 2024

3.The Deputy Superintendent of Police,
CBCID, Visalatchipuram,
Vislatchipuram, Madurai -16.

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to withdraw and transfer the investigation in Crime No.256 of 2024 dated 26.05.2024 on the file of the second respondent and transfer the same to the third respondent or any other impartial investigation Agency.

For Petitioner : Mr.S.M.Anantha Murugan

For Respondents : Mr.M.Sakthi Kumar

Government Advocate (Crl.)



Crl.O.P.(MD)No.25 of 2026

WEB COPY

ORDER

Seeking to transfer the investigation in Crime No.256 of 2024 dated 26.05.2024 from the file of the second respondent police to the file of the third respondent police or any other impartial investigation agency, this criminal original petition is filed.

2.The learned counsel for the petitioner submitted that along with the FIR in Crime No.256 of 2024, two other first information reports in Crime Nos.254 and 255 of 2024 were also registered by the second respondent police and this Court in W.P(MD).No.17360 of 2024, by order dated 16.05.2025, has already transferred the case in Crime Nos.254 and 255 of 2024 to the file of the third respondent. Since this case is also a case in counter registered along with Crime Nos.254 and 255 of 2024, the same may be transferred to the third respondent police.

3.Per contra, the learned Government Advocate(Crl.side) submitted that as far as this case is concerned already investigation is over and final report has been filed. However, in the aforesaid cases, final reports were not filed. Having filed the final report in this case, the question of transfer is not warranted and sought for dismissal of this petition.



Crl.O.P.(MD)No.25 of 2026

WEB COPY

4.Recording the submission of the learned Government Advocate(Crl.), this Criminal Original Petition is dismissed. However, the petitioner is at liberty to file a petition under Section 173(8) of Cr.P.C./ 193(9) of BNSS seeking for further investigation, if so advised.

06.01.2026

NCC : Yes / No

Index : Yes / No

Rmk

TO:-

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Kalaiyarkovil Police Station,
Kalaiyarkovil,
Sivagangai District.
Crime No.256 of 2024
- 3.The Deputy Superintendent of Police,
CBCID, Visalatchipuram,
Vislatchipuram, Madurai -16.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.25 of 2026

L.VICTORIA GOWRI, J.

Rmk

Order made in
Crl.O.P.(MD)No.25 of 2026

Dated
06.01.2026