



W.P.No.28030 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2026

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CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

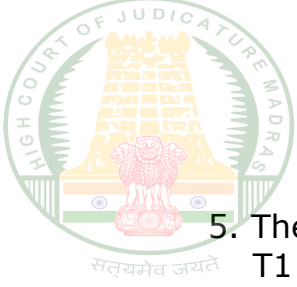
W.P.No.28030 of 2026
and W.M.P.Nos.30693 and 30694 of 2026

J.Balsubramani, Advocate
S/o.Jayakumar
No.39, C/42, Valliammal Nagar
4th Extension, Rakkiyapalayam
Kankeyan Road, Tiruppur-641 604.

Petitioner(s)

Vs

1. The State of Tamilnadu
Rep by the Chief Secretary to Government
Fort St.George, Secretariat
Chennai-600 009.
2. The Director General of Police
Tamilnadu Dr.Radhakrishnan Salai
Mylapore, Chennai-600 004.
3. The Additional Commissioner of Police
Law and Order(S), Greater Chennai Police
Chennai.
4. The Deputy Commissioner of Police
Triplicane Police District, Greater Chennai Police
Chennai.



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5. The Inspector of Police
T1 Triplicane Police Station
Triplicane, Chennai-600 005.

6. The Director
Central Bureau of Investigation
CGO Complex, Lodhi Road
New Delhi-110 003.

7. The Union of India
Rep by the Secretary to the Government of India,
Ministry of Home Affairs, North Block,
New Delhi-110 001.

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing transfer of the investigation in Crime No.0205/2026 registered at D1 Triplicane Police station, Triplicane, Chennai to the Sixth Respondent, the Central Bureau of Investigation to conduct a fresh, comprehensive, and independent investigation into the allegation set out not only in the complaint of Dr.N.Elaiyaraja in Crime No.0205/2026, but also all the complaints regarding the horse trading of MLAs in accordance with law and under the supervision of this court and to file periodic status reports as this court.

For Petitioner(s): Mr.N.Jothi, Senior Counsel
for Mr.P.Kavin Prabhu

For Respondent(s): Mr.Vijay Narayan, Advocate General
Assisted by Mr.Akash Srinanda,
Government Advocate for R1



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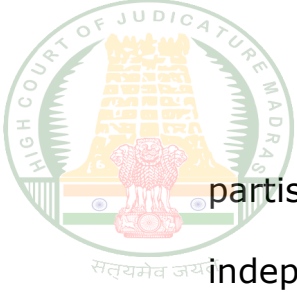
Mr.John Sathyan
State Public Prosecutor
Assisted by Mr.Arun Anbumani
Additional Public Prosecutor
and Mr.M.Dinesh
Government Advocate (Criminal Side)
for R2 to R5

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner before us, who claims to be a practising advocate, has approached this court under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to transfer the ongoing investigation in Crime No.0205 of 2026, currently handled by the State Police at the DI-Triplicane Police Station, to the Central Bureau of Investigation (CBI).

2.1. Mr.N.Jothi, learned Senior Counsel appearing on behalf of the petitioner, submits that while the local police have shown extraordinary zeal in registering and pursuing the FIR in question, they have turned a blind eye to five other similar complaints alleging identical political "horse-trading" made by members of opposition parties. He alleges that this asymmetry betrays a



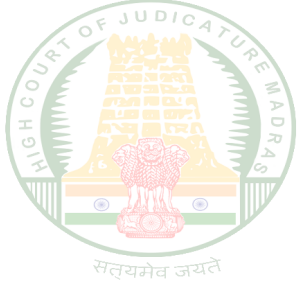
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partisan State machinery, necessitating the intervention of an independent investigating agency to restore public confidence.

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2.2. Learned Senior Counsel points out that the present case rests on a complaint by a sitting Member of the Legislative Assembly (MLA) belonging to the ruling party, who alleged that he was offered Rs.35 crore over a WhatsApp call to cross-vote on a legislative resolution.

2.3. He also submitted that as per the Tamil Nadu Vigilance Manual, the Directorate of Vigilance and Anti-Corruption (DVAC) is responsible for investigating offences falling within Sections 7 to 15 of the Prevention of Corruption Act, 1988 and for inquiring into the complaints relating to bribery, corruption and allied misconduct, however, in the case at hand, the FIR has been registered at a regular district police station with no specialised mandate for corruption investigation. The circumvention of DVAC, which is the competent, specialised and designated agency and vesting of the investigation in a regular police station, he submits, is a consequence of political power.



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2.4. Learned Senior Counsel drew our attention to various newspaper reports, public statements and social media video clips showing leaders of other political groups lodging complaints with various authorities and the Governor, alleging that their own representatives are being lured away by bribes and misuse of official power.

3.1. Mr.Vijay Narayan, learned Advocate General appearing on behalf of the first respondent/State, submits that the progress of this case proves that the State police are doing exactly what they are meant to do. He submitted that the State police have actively taken cognizance of the offence and nine individuals have already been arrested. The investigation is backed by strong evidence, including audio and video recordings. The court has remanded several key accused.

3.2. He further submitted that the investigation is moving forward at an impressive pace and based on unverified assertions



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made by the petitioner, the investigation need not be transferred at this stage.

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4. Upon evaluating the rival submissions and examining the facts, it is luculent that the case sought to be transferred to the CBI is currently under active, ongoing investigation by the State Police. Nine individuals have already been apprehended, evidence is collected and the court has also directed the remand of several key accused.

5. When the persons who are accused in the crime are pursuing their remedy in the manner known to law, the plea raised in this writ petition, styled as public interest litigation, qua the jurisdiction of the local police to investigate the offence, does not merit consideration, that too, at the instance of this petitioner.

6. The law on transferring an investigation to the CBI is well-settled. The transfer of investigation to the CBI is an extraordinary remedy reserved for exceptional circumstances, such as, when the local investigation is completely paralyzed or compromised or



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incapable of finding the truth. In the present case, the petitioner has failed to point out a single exceptional circumstance that indicates that the local police are acting in bad faith or failing to collect evidence. The unsubstantiated claim made by the petitioner that five complaints sought to be filed by members of the opposition parties were not registered by the State Police cannot form the basis for transferring the ongoing probe to the CBI.

7. The petitioner relies heavily on newspaper articles, press releases, and social media audio/video clippings to assert that "horse-trading" is happening and that other complaints are being ignored. We must emphasize that newspaper reports and social media broadcasts cannot form the basis for a court to order the transfer of a criminal investigation. A court of law cannot transfer a statutory investigation based on the newspaper headlines or viral videos on digital platforms.

8. Public Interest Litigation is one of the most powerful instruments in the judicial framework. It was designed to give a voice to the voiceless, to protect the vulnerable and to ensure that



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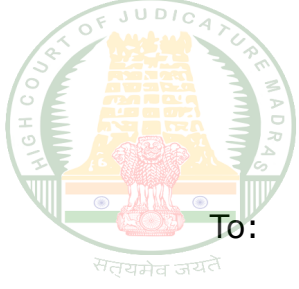
the rule of law reaches the farthest corners of our society. In the present case, the State Police have already apprehended nine suspects, gathered material evidence and secured judicial remands. Therefore, we are of the view, that the invocation of this extraordinary jurisdiction to demand a transfer of probe based unverified media reports is a clear deviation from its noble purpose.

For the aforegiven reasons, this writ petition stands dismissed.

No costs. Consequently, interim applications are closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
16.07.2026

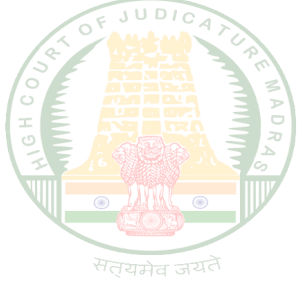
Index : Yes
Neutral Citation : Yes
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Tamilnadu Dr.Radhakrishnan Salai
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