



WEB COPY



W.P.(CrI).No.587 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

W.P.(CrI).No.587 of 2026

K.Kesavan

... Petitioner

vs.

1.The Assistant Commissioner of Police
Harbour Range, Flower Bazaar
District, Chennai-600 001.

2.The Government Stanley Hospital,
Represented by its Dean having address at
Old Jail Road, Chennai-600001.

3.The Crime Branch Crime Investigation Department (CB-CID)
No.220, Crime Branch Crime Investigation Department,
Pantheon Road, Egmore, Chennai, Tamil Nadu, 600008.

4.The Principal
St. Gabriel's Higher Secondary School
28, Broadway, Chennai-600108.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st Respondent to transfer the entire records pertaining to investigation of Crime No.105 of 2023 to the 3rd Respondent CBCID, and to further direct the 3rd Respondent to secure, collect and analyse all relevant evidence including CCTV footage, photographs and other material records from the school premises and surrounding area, and file a report in a time bound manner.



WEB COPY



W.P.(Crl).No.587 of 2026

For Petitioner : M/s.Ambili Menon.P

For R1 to R3 : Mr.R.Ganesh Kumar
Counsel for Government of Tamil Nadu
(Criminal Side)

For R4 : M/s.B.Louis Shirmila
for M/s.K.V.Muthuvisakan

ORDER

This Writ Petition has been filed for transfer of investigation in Crime No.105 of 2023 from the file of the Inspector of Police, N3, Muthialpet Police Station, Chennai District, registered under Section 174 of the Criminal Procedure Code to the file of the 3rd respondent.

2. Heard the learned counsel appearing on either side and perused the materials placed on record.

3. On perusal of the records and also submission made by the learned counsel for either side revealed that the investigation has already been completed by the Investigating Officer in Crime No.105 of 2023 and closed the FIR as mistake of fact. On the closure report, the petitioner filed protest



W.P.(Crl).No.587 of 2026

petition in Crl.M.P.No.3793 of 2024 on the file of the XVI Metropolitan Magistrate Court, George Town, Chennai. The learned Metropolitan Magistrate considered the request made by the petitioner and ordered for further investigation to file a fresh report. Thereafter, further investigation was conducted by the Assistant Commissioner of Police, Harbour Range, Chennai and once again, filed closure report on 20.03.2025 before the XVI Metropolitan Magistrate, George Town, Chennai for further action in Crime No.105 of 2023. Thereafter, the petitioner was also served with RCS Notice dated 09.05.2023. Pursuant to the same, the petitioner also filed protest petition before the XVI Metropolitan Magistrate Court, George Town, Chennai and it is adjourned to 01.07.2026. Therefore, the change of transfer of investigation does not arise since already the investigation is completed in Crime No.105 of 2023 by the Assistant Commissioner of Police, Harbour Range, Chennai and also filed closure report before the XVI Metropolitan Magistrate Court, George Town, Chennai. That apart, the petitioner also filed protest petition and it is pending before the XVI Metropolitan Magistrate Court, George Town, Chennai. In view of the above, the transfer of investigation does not arise.

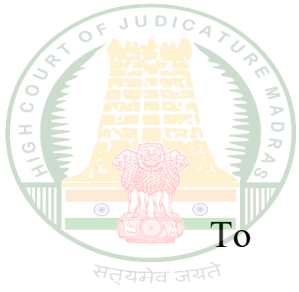


W.P.(Crl).No.587 of 2026

4. Accordingly, the Writ Petition (Criminal) is dismissed. However, the learned XVI Metropolitan Magistrate Court, George Town, Chennai is directed to conduct enquiry on the protest petition filed by the petitioner and dispose of the same in accordance with law, within a period of eight weeks from the date of receipt of copy of this order. No costs.

01.07.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
dm



W.P.(Crl).No.587 of 2026

To

WEB COPY

- 1.The Assistant Commissioner of Police
Harbour Range, Flower Bazaar
District, Chennai-600 001.
- 2.The Government Stanley Hospital,
Represented by its Dean having address at
Old Jail Road, Chennai-600001.
- 3.The Crime Branch Crime Investigation Department (CB-CID)
No.220, Crime Branch Crime Investigation Department,
Pantheon Road, Egmore, Chennai, Tamil Nadu, 600008.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai.

Copy to

The XVI Metropolitan Magistrate Court,
George Town, Chennai.



WEB COPY



W.P.(Crl).No.587 of 2026

G.K. ILANTHIRAIYAN, J.

dm

W.P.(Crl).No.587 of 2026

01.07.2026