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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.14035 of 2025

Pothumponnu @ Pothammal

...Petitioner

Vs

1. The State of Tamilnadu,
Rep. by the Superintendent of Police,
Sivagangai District,
Sivagangai.

2. The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.
(In Crime No.85 / 2022)

3. The Inspector of Police,
CBCID Wing,
Sivagangai District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to directing the 1st respondent to transfer the investigation in connection with the case in Crime No.85/2022 from the file of the 2nd respondent Police to the 3rd respondent police, within the stipulated time fixed by this Court.



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For Petitioner : M/s.P.Rajendrababu
For Respondents : Mr.J.Vishnu
Government Advocate(crl.side)

* * * * *

ORDER

The present petition has been filed seeking a direction to transfer the investigation from the second respondent to the file of the third respondent.

2. A perusal of the FIR reveals that the husband of the petitioner is missing from 20.10.2022 onwards.

3. According to the learned Counsel appearing for the petitioner, her husband is a mentally challenged person and he went missing from the above said date onwards.

4. The learned Government Advocate(crl.side) appearing for the respondents submitted that they have been searching in all the railway stations and Bus stand through CCTV footages. They have conducting regular search of the persons. Since he is a mentally challenged person and he is not using a mobile phone, they are not in a position to trace him. He further submits that they are fairly conducting the investigation and trying to trace the missing person.



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5. The learned Government Advocate(crl.side) appearing for the respondents has also filed a status report on 10.09.2025 and another status report on 31.03.2026.

6. Paragraph Nos.10 and 11 of the status report, dated 10.09.2025, is extracted as follows:-

“10. I humbly submit that missing person details were published in the local TV Channels. Information regarding the details of the missing person was given to the District Social Welfare Officer requesting to pass on any credible information about the missing person. The news about the missing person was published in the local circulation papers. Efforts were taken to further circulate the news about the missing person through all social media groups. In this way the, Respondent Police are working round the clock and analyzing each piece of information received and testing the accurateness.

11. I humbly submit that, the Special team went to specific locations in Madurai, Sivagangai and Pudukkottai Districts, where such runaway people are likely to be traced. But no fruitful results were available. Suspect information, were received from certain locations after publishing in social media and the Respondent Police are carefully examining the persons so identified and presently such scrutinizing is going on in different places. Searches are conducted at asylums for mentally retarded, prisons, hospitals, old age homes and other social welfare observatories. The Respondent Police are not leaving any stone unturned and are at the lookout for any credible and valuable information regarding the securing of the detenue.”



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7. Paragraph Nos.8, 9 and 11 of the status report, dated 31.03.202, is extracted as follows:-

“8. I humbly submit that the Respondent Police have formed Special Team comprising SSI RamKumar was marched on 19.12.2023 to Chettinadu, Tirumayam and Pudukkottai the team searched and made enquiries showing photo and Pamphlets and pasted notice at bus stand and other prominent places. The team posted Notice at Railway Stations, all Police Stations in the District and possible locations in nearby Districts and Social Service Homes and made enquiries.

9. I humbly submit that, the Special Team went in search of the missing man on 12.01.2024 to Sivagangai, Tiruppathur and Karaikudi. The Special team headed by R2 was gain marched on 22.02.2024 to Sakkottai, Pallathur and Kundrakudi and the said team searched at Karaikudi, Madhugupatti, Kallal on 20.03.2024. The Special Team comprising SSI Boominathan and HC 1883 was marched on 22.04.2024 to Poovanthi, Thiruppuvanam and Madurai District areas. The Special team comprising SSI Ganesan and HC 1883 was marched on 15.05.2024 to Karaikudi, Pallathur, Kundrakudi, Sakkottai and the team enquired about the missing person at various locations. Another team comprising SSI Ambalavanan and HC 2036 were marched on 19.06.2024; and on 16.07.2024 team comprising SSI Ganesan and the team visited Karaikudi, Sivagangai, Manamadurai, Thiruppathur, Mangalam, Thiruvadana and Rarnanathapuram in search of the missing person and kept secret watch. The Special Team made enquiries, by showing the photo graphs and pasted hand bills at main locations and also posted the details of the missing person on social media and gave wide publicity in the cyber world about the missing person. The team compared UIDB from CCTNS in the similar age group and similar features.

11. I humbly submit that, the Special team went to specific locations in Madurai, Sivagangai and Pudukkottai



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Districts, where such runaway people are likely to be traced. But no fruitful results were available. Suspect information, were received from certain locations after publishing in social media and the Respondent Police are carefully examining the persons so identified and presently such scrutinizing is going on in different places. Searches are conducted at asylums for mentally retarded, prisons, hospitals, old age homes and other social welfare observatories. The Respondent Police are not leaving any stone unturned and are at the lookout for any credible and valuable information regarding the securing of the detainee. Missing person details were published in Tamilnadu police missing person whatsapp group. Mean while UIDB details were obtained from railway Crime Records Bureau and also being analysed in the similar age group and similar features.”

8. In view of the above said facts, this Court is convinced that the second respondent is taking effective steps to search the missing husband of the petitioner herein and I do not find any reason to transfer the investigation to the third respondent. However, the second respondent is directed to expedite the investigation and try to secure the missing person or to get information about the missing person. In case, if no progress is made within a period of three months, the petitioner is at liberty to revive her request.



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9. With the above said observations, this Criminal Original Petition

stands disposed of.

04.06.2026

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

RJR

To

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.

2. The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.

3. The Inspector of Police,
CBCID Wing,
Sivagangai District.

Copy to:-

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



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R.VIJAYAKUMAR, J.

RJR

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