



Crl.O.P.No.4834 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4834 of 2023

B.Kasiyammal,F/50 years,
W/o P.Balaraman (late),
No.28, Kulukarai Street,
Sembarambakkam, Poonamallee,
Chennai 602 107.

.. Petitioner/Mother of the
deceased

/versus/

1.The Commissioner of Police,
Avadi Commissonerate,
Avadi.

2.The Inspector of Police,
Vellavedu Police Station,
Vellavedu.

.. Respondents.

Prayer: Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to transfer the investigation of the case in Crime No.415 of 2022 on the file of the 2nd respondent police, be transferred to CBCID police.

For Petitioner : Ms.Manjula Chavan
For R1 & R2 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

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This petition has been filed to direct the 1st respondent to transfer the investigation of the case in Crime No.415 of 2022 on the file of the 2nd respondent police, be transferred to CBCID police.

2. The petitioner's son was travelling with his friend on his motorcycle on 01.10.2022 met with an accident and died. Though the petitioner alleges that his friend was the main cause for the petitioner's son death, no enquiry was conducted. The F.I.R is still pending and the final report has not been filed in Crime No.415 of 2022 by the 2nd respondent police.

3. On instructions, Mr. K.M.D. Muhilan, Learned Government Advocate (Crl. Side) for the respondents, submitted that on the date of the occurrence, the petitioner's son was alone riding the motorcycle and met with an accident in the National Highways. His body was found and subjected to a post-mortem examination. The post-mortem report indicates that the petitioner's son died from severe injuries sustained in the accident. Consequently, the 2nd respondent has registered the F.I.R. for offences punishable under Sections 279 and 304(A) of the I.P.C. However, it is admitted



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that there is no available CCTV footage, and the 2nd respondent was unable to trace the vehicle involved in the accident.

4. In light of the above, the transfer of the investigation would not serve any useful purpose. The 2nd respondent is directed to complete the investigation and file the final report within a period of 12 weeks from the date of receipt of copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of.

04.02.2025

Index : Yes/No.
Neutral Citation : Yes/No.
bsm
To:-
1.The Commissioner of Police,
Avadi Commissonerate,
Avadi.

2.The Inspector of Police,
Vellavedu Police Station,
Vellavedu.

3. The Public Prosecutor,
High Court of Madras, Chennai.



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G.K.ILANTHIRAIYAN, J.

bsm

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