



Crl.O.P.No.7243 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 13.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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Balasubramanian

... Petitioner

Vs

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Mayiladuthurai District.

2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Mayiladuthurai District.

3. The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai District.

4. The Inspector of Police,
CBCID,
Mayiladuthurai District.

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to transfer the investigation in Crime No.44 of 2024 pending on the file of the third respondent Police to the fourth respondent Police/CBCID or any other investigating agency to be appointed by this Court.



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For Petitioner : Mr.U.Kathiravan

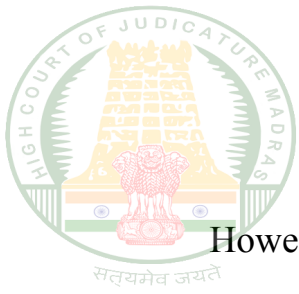
For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No. 44 of 2024 from the file of the third respondent police to the fourth respondent police/CBCID or any other investigating agency to be appointed by this Court.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The First Information Report in Crime No. 44 of 2024 is connected with W.P. No. 17576 of 2024. This Court has seen the entire CCTV footage of the operation theatre from 28.01.2024 to 29.01.2024. Therefore, nothing happened inside the operation theatre. That apart, there is no material available to alter the offense from Section 174 Cr.P.C. to any other offence in Crime No. 44 of 2024. The case of the petitioner is that the alleged occurrence had taken place only due to the negligence of the doctor.



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However, there is no material to attract any offense against the hospital's doctors and hospital's authorities. Therefore, the transfer of investigation would not serve any purpose. However, the third respondent is directed to complete the investigation and file a final report within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above directions, this Criminal Original Petition is disposed of.

13.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kv

To

1. The Superintendent of Police,
Chengalpet District – 603 002.
2. Inspector of Police,
G-10, Anaicut Police Station,
Cheyyur, Pavunjur,
Chengalpet District – 603 312.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J,

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