



W.P. No. 13080 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P. No. 13080 of 2025

and

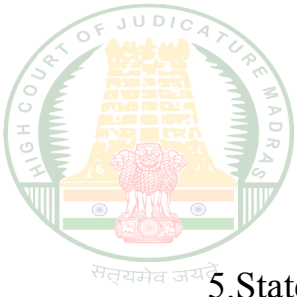
W.M.P. No. 14602 of 2025

Chitra

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep., by the Principal Secretary to Government,
Home Department,
St. George Fort,
Secretariat,
Chennai – 600 009.
2. The Director General of Police,
Head of Police Force,
Mylapore,
Chennai – 600 004.
3. The District Collector,
Dharmapuri District,
Dharmapuri.
4. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.



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5.State rep., by
The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.
(Crime No. 45 of 2025)

6.The Forest Range Officer,
Pennagaram Forest Range,
Pennagaram,
Dharmapuri District.
(WLOR.No. 02/2025)

7.The District Forest Officer,
Dharmapuri,
Dharmapuri District.

8.The Director,
Central Bureau of Investigation,
No. 26, 3rd Floor, Haddows Road,
Shastri Bhavan,
Chennai – 600 006.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the respondents 4 to 6 to transfer the investigation in Crime No. 45 of 2025 on the file of the Inspector of Police, Eriyur Police Station, Dharmapuri District and WLOR No.02 of 2025 on the file of the sixth respondent to the Central Bureau of Investigation (CBI) herein or any other competent investigating agency including death of petitioner's husband viz., Senthil son of Govindharaj and consequently direct the respondents to pay adequate compensation.



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For Petitioner : Mr. S. Anantha Narayanan,
Senior Counsel
for Mr. K. Balu

For Respondents

For R1 to R5 : Mr. A. Gopinath,
Government Advocate (Crl. Side)

For R6 & R7 : Dr. T. Seenivasan,
Special Government Pleader

ORDER

This Writ Petition is filed for transfer of investigation in Crime No. 45 of 2025 from the file of the fifth respondent to the file of the CBI for fair and proper investigation. The petitioner also sought for re-postmortem of her husband by a team of expert in Forensic Medicine and the same shall be videographed.

2. On 01.03.2025, the sixth respondent had found body of the Elephant near Yemanur Beat, Pathanavadi Reserved Forest, Dharmapuri District in a suspicious manner. In pursuant to the same, they registered a case in WLOR.No. 2 of 2025 under Section 21(d)(h), 21(2) of Tamil Nadu Forest Act, 1882, 2(16) (35), (36) & 9, 39, 50, 51 of Wild Life Protection Act. In pursuant to the registration of the case, the petitioner's

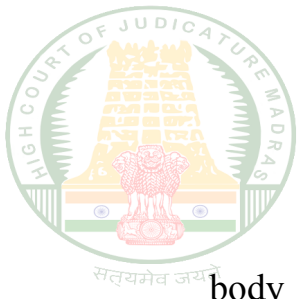


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husband, father-in-law and brother-in-law were arrested on 17.03.2025 alleging that they have been shot dead the Elephant. After their arrest, they were kept in illegal custody and started assaulting them in a black and blue manner. Even after completion of 24 hours from their date of arrest, they have not produced before the concerned Judicial Magistrate.

3. While being so, immediately on 18.03.2025, the petitioner had filed complaint and also sent the same to higher officials. Further, when the petitioner approached the sixth respondent, she was not even allowed to see her husband on 19.03.2025. However, the petitioner's father-in-law alone was remanded to judicial custody on 18.03.2025. Thereafter, on 04.04.2025, the fifth respondent informed the petitioner that her husband found dead in the Kongarapatty Forest range in a decomposed stage. Thereafter, the fifth respondent registered the FIR in Crime No. 55 of 2025 under Section 194 of BNSS 2023. The petitioner found her husband's body as if he committed suicide by country made gun. Thereafter, the petitioner filed this petition alleging that the sixth respondent mooted her husband in the illegal custody. Thereafter, the



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body of the petitioner's husband was subjected for postmortem. In the meanwhile, the investigation in Crime No. 55 of 2025 is also transferred from the file of the fifth respondent to the file of CBCID for investigation.

4. Considering the above facts and circumstances, this Court by an order dated 08.04.2025 ordered for re-postmortem consisting three specialist in Forest Medicine. Accordingly, they conducted postmortem and produced the postmortem report before this Court.

5. On perusal of the postmortem report dated 10.04.2025, there is no much difference from the earlier postmortem report dated 06.04.2025. Infact, re-postmortem was conducted in the presence of the petitioner. Both the postmortems were also fully videographed. Now after transfer of investigation from the file of the fifth respondent, the Inspector of Police, CBCID North, Dharmapuri District, re-registered the FIR in Crime No. 2 of 2025 under Section 194 of BNSS and it is pending for investigation.



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6. In view of the above, the Inspector of Police, CBCID North, Dharmapuri District is directed to complete the investigation and file a final report within a period of 12 weeks from the date of receipt of copy of this order.

7. This Writ Petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed. No costs.

8. The Inspector of Police, CBCID North, Dharmapuri District is directed to handover the body of the petitioner's husband to the petitioner forthwith.

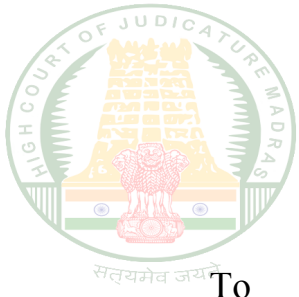
15.04.2025

Index : Yes/No

Neutral citation : Yes/No

AT

Note :- Issue order copy on 17.04.2025



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To

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1. The Principal Secretary to Government,
Home Department, St. George Fort,
Secretariat, Chennai – 600 009.
2. The Director General of Police,
Head of Police Force,
Mylapore, Chennai – 600 004.
3. The District Collector,
Dharmapuri District,
Dharmapuri.
4. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
5. The Inspector of Police,
Eriyur Police Station,
Dharmapuri District.
6. The Forest Range Officer,
Pennagaram Forest Range,
Pennagaram, Dharmapuri District.
7. The District Forest Officer,
Dharmapuri,
Dharmapuri District.
8. The Public Prosecutor,
High Court, Madras.
9. The Inspector of Police,
CBCID North,
Dharmapuri District
10. The Director,
Central Bureau of Investigation,
No. 26, 3rd Floor, Haddows Road,
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G.K.ILANTHIRAIYAN, J.

AT

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W.M.P. No. 14602 of 2025

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