



Crl.O.P.No.19568 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 30.07.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.19568 of 2025

V.Srivithya

.. Petitioner

Vs.

1. The State, by
The Superintendent of Police,
Cuddalore District.
2. The Inspector of Police,
Nellikuppam Police Station,
Cuddalore District,
Crime No.37 of 2025
3. The Inspector of Police, CB.CID,
Cuddalore District.

.. Respondents

Criminal Original Petition filed under Section 528 of the BNSS
praying to direct the respondent No.1 to transfer the investigation pending
in Cr.No.37 of 2025 on the file of the respondent No.2 and transfer the same
to respondent No.3.

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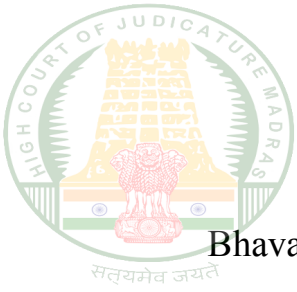
For petitioner : M/s.S.Bharanidharan

For respondents: Mr.S.Vinoth Kumar,
Govt. Advocate (Crl. Side)

ORDER

This petition is filed to direct the first respondent to transfer the investigation pending in Cr.No.37 of 2025 on the file of the second respondent, to the third respondent.

2. The petitioner is the de-facto complainant and she is the mother of the deceased minor Govasri, aged about 14 years and the petitioner belongs to Scheduled Caste (Adi Dravidar) Community. The petitioner married one Vadivel and out of their wed-lock, three children are born to them, namely Bhuvanasri, Vignesh and Govasri. The petitioner's younger daughter was studying IXth Std. at Danish Mission Girls Higher Secondary School, Melpattambakkam by staying in the hostel situated in the school campus. In the month of December 2025, the petitioner/s daughter had complained that her school mates were body shaming her and also made caste slurs when she was returning from the wash-room. The petitioner's elder daughter



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Bhavanasri complained the same to the Hostel Warden, namely Subena and also to the School management, however, no action had been taken by the Warden and School management.

3. Further, on 07.02.2025, the petitioner was informed by the Hostel Warden that the petitioner's minor daughter needs attention and insisted the petitioner to rush to the hospital along with the petitioner's family members as soon as possible. Immediately, the petitioner had rushed to the Government Hospital, Cuddalore, and the petitioner was informed by the Management that their daughter was transferred to Government Hospital, Villupuram, for treatment. The petitioner and her family members had rushed to the Government Hospital, Villupuram, wherein, in the middle-way, Mr.Ravichandran, Inspector of Police, Nellikuppam Police Station, asked them to come to the Police Station, wherein the petitioner was informed that their daughter had committed suicide in the hostel campus and informed the petitioner that she had not gone to School. To the utter shock and dismay, the petitioner had rushed to the Government Hospital, Mundiampakkam, wherein the petitioner noticed that their daughter was kept in mortuary wearing school uniform with strangulation mark on her



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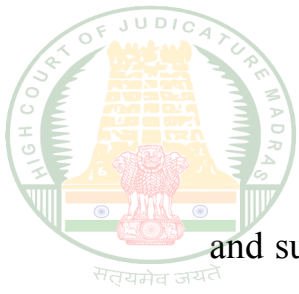
neck.

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4. Thereafter, a complaint was lodged before the second respondent and FIR in Crime No.37 of 2025 was registered for the alleged offence under Section 194 of the Bharatiya Nagarik Suraksha Sanhita, 2023. On the date of occurrence, the respondents 1 and 2 forced the petitioner and her family not to implicate any members from the school management regarding the suspicious death of their daughter and many advocates who were backed by political parties, came to the Government Hospital at Mundiampakkam and threatend them not to implicate any person from the school management.

5. Despite the fact that the petitioner's daughter was found hanging with her 'Duppatta', the Police attempted to project a false story as if their daughter was not wearing school uniform on the date of occurrence. The school Warden Subena and Principal-Regina Usha had influenced the respondents-Police to decemate the Duppatta of the petitioner's daughter on the alleged date of occurrence itself and thereafter, more than 20 Advocates and hench-men belonging to School Management, had rushed to the hospital in order to gag the news and other public from covering the issue

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and suppress the real genesis of the case. Thereafter, the respondents-Police

had not progressed the investigation and the petitioner's complaint was stalled. While the petitioner was cleaning her house and sorting the things of the petitioner's daughter, the petitioner found two hand-written letters of the petitioner's daughter, and she had disclosed the instances of sexual assault by persons, namely Manikandan, Watch-man of the hostel and a person, namely Prince, the husband of the hostel Manager, namely Benitta.

6. Thereafter, the petitioner had given a representation to the first respondent and the District Collector on 07.03.2025 to transfer the investigation to the third respondent to find out the real cuprits involved in the case. But however, no action had been taken as on date. According to the petitioner, the respondents-Police are acting in connivance with the School management to save the real accused from escaping the clutches of law. Even after production of the hand-written notes of the petitioner's deceased daughter, she revealed the sexual harassment inflicted upon her, even then, the respondents 1 and 2 had not taken any steps either to investigate or to enquire those persons.

7. Thereafter, again, on 15.04.2025, the petitioner had given a

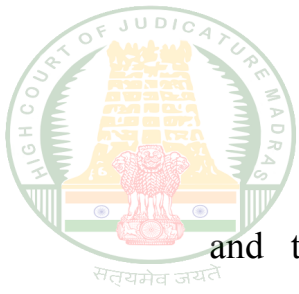


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representation to the second respondent to take further action on the complaint given by the petitioner, but however, no action had been taken as on date. According to the petitioner, the investigation is not carried out in a fair and effective manner due to the influence of the school Management. The investigation carried on by the investigating officer is prejudiced and suspicious and hence, according to the petitioner, the investigation is suspected to be influential.

8. It is the grievance of the petitioner that the conduct of the investigation agency is not only casual and lackadaisical, but also crept with illegal motive to protect the culprits. Therefore, unless the investigation officer is transferred in the complaint given by the petitioner, the bigger conspiracy among the public servants cannot be brought on record.

9. According to the petitioner, the investigation that is carried out is tainted and not fair and effective and that the investigation carried on by the investigating officer/second respondent is prejudiced and suspicious and hence, the petitioner suspects that the investigation being carried out by the second respondent, is illegal and hence, the petitioner seeks for transfer of the investigation to the file of the CB.CID - Police to re-investigate the case



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and to file the charge-sheet. Despite several representations by the petitioner, the respondents-Police are not making effort to continue the investigation in a fair and effective manner. The right of the victim for a fair investigation is guaranteed under the Constitution of India. Hence, the petitioner has filed the present petition for the relief stated supra.

10. The respondents have filed counter affidavit, short of which, is extracted hereunder:

(a) It is the case of the prosecution that on 07.02.2025 at about 20 hours, the de-facto complainant (petitioner) lodged a complaint before the respondents-Police stating that she is residing with her family members at No.31, Nanthanar Street, Villupuram. The de-facto complainant's younger daughter, namely V.Govashri/deceased aged about 14 years, was studying IX Std. in the Danish Mission Girls Higher Secondary School, Melpattampakkam.

(b) On 07.02.2025 at about 5 hours, the complainant received a phone call from the school and it was stated that her daughter had committed suicide by hanging herself in the hostel toilet. Thereafter, the deceased was admitted in the Government Hospital, Cuddalore District and the Doctor



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declared that her daughter died. The complainant further mentioned that the deceased told her that, the food provided by the hostel management was poor and the petitioner is seeking the school management as the reason for the deceased to commit suicide.

(c) A case was registered in Nellikuppam Police Station, Cuddalore District, Crime No.37 of 20925, under Section 194 of the BNSS, 2023 on 07.02.2025 at about 22 hours by Mr.M.Javatnu Hussain, Sub-Inspector of Police and submitted the same before the Police for further investigation. On the same day, after registering the FIR, the investigation officer went to the scene of occurrence and drew rough sketch and prepared observation mahazar in the presence of the witnesses and examined the witnesses and recorded their statement.

(d) On 10.02.2025, the investigating officer conducted inquest on the body of the deceased in the presence of the witnesses and Panchayatdar and thereafter, the body was sent for post-mortem to the Government Medical College Hospital, Mundiampakkam, Villupuram on 11.02.2025. After completion of post-mortem, the body of the deceased was handed over to the de-facto complainant (mother of the deceased).

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(e) During the course of investigation, 56 witnesses were examined and their statements were recorded and the seizure mahazar was filed in the presence of witnesses with regard to the materials seized.

(f) Considering the sensitive nature of the case, the first respondent nominated the Deputy Superintendent of Police (DSP), Panruti sub-division as the investigation officer to take up the case for detailed and fair investigation on 15.02.2025. The CD file along with all records of investigation to the DSP, Panruti sub-division, Cuddalore District, on the same day and the DSP, Panruti took up the case for investigation and examined all the 56 witnesses again and also recorded their statements.

(g) During the course of investigation, Duppatta of the deceased, which was used for hanging was de-cremated by one Vijaya, aged 44 years, wife of Rajendran, who was working in the hostel as Sweeper for the past 24 years. She, along with Sarasu, Priya and Rasathi, who saw the body of the deceased hanging near the toilet roof, removed the body of the deceased from the scene and sent to hospital to save her and the said Vijaya de-cremated the Duppatta near the water tank as per her Village rituals. Witness statements were recorded and updated in the CD file.

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(h) During the course of investigation, from the statements recorded from the witnesses including the friends of the deceased, it revealed that the father of the deceased died 2 years ago. After the demise of her father, she was worried about her father and went to the extent of depression. In the meantime, the deceased informed her friends about her father many times and also about her family issues after her father died. She repeatedly informed her close friends that she is not willing to live her life and due to the depression, the deceased committed suicide.

(i) During the course of further investigation, one video went Viral in Nakkeeran facebook page about the deceased and a note was written by the deceased on 09.06.2025. The investigating officer summoned the family of the deceased under Section 94 of the BNSS, 2023 to produce the documents related to the case for investigation. The complainant appeared with the relevant documents on 18.06.2025 and produced the note written pinned in a marriage invitation card, along with one long size note, saying that the note was written by the deceased and the complainant found the note while cleaning her house.

(j) Further, during the course of investigation, on examination of the



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note submitted, it revealed that sexual harassment, was inflicted upon the deceased by hostel manager's husband and watch-man of the hostel. Both the said persons were summoned by the investigating officer and statements were recorded on 08.08.2025. During the course of investigation, it also revealed that the investigating officer requested the Headmaster of the Girls Christian Higher Secondary School, Melpattampakkam, to produce the exam answer sheets of the deceased to compare the hand-writing of the deceased with the note submitted by the complainant.

(k) During the course of investigation, it also revealed that after receiving the exam answer sheets of the deceased, as well as the suicide note of the deceased, has sent on 16.07.2025 to the Forensic Science Laboratory for analysis of the hand-writing through Additional Mahila Court, Cuddalore.

(l) On 23.07.2025, during the further course of examination, the respondents-Police sent a top priority letter to the Forensic Science Laboratory, since the report was not yet obtained till date.

(m) The investigation is progressing in a fair manner and the final report would be filed upon receipt of the report from the Forensic Science



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Laboratory, Chennai.

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(n) The respondents-Police conducted the investigation of this case in a fair, free and impartial manner and also in accordance with law. As soon as the investigation is over, the charge-sheet will be filed before the competent Court in accordance with law. Hence, the second respondent-Police prayed that there is no necessity to transfer the case to an other agency as prayed for by the petitioner.

11. Considering the nature of the offence and the place of occurrence, instead of the second respondent, the first respondent-Superintendent of Police, Cuddalore District, is directed to conduct and complete the investigation and file final report/charge-sheet within a period of two months from the date of receipt of a copy of this order.

12. With the above direction, this petition is disposed of.

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- To
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Cuddalore District,
Crime No.37 of 2025
 3. The Inspector of Police, CB.CID,
Cuddalore District.
 4. The Public Prosecutor, High Court, Madras.



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