



Crl.O.P.No.22821 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 18.08.2025**

CORAM:

**THE HON'BLE MR.JUSTICE N. SATHISH KUMAR**

**Crl.O.P.No.22821 of 2025**

Arun Elavarasu

... Petitioner

Vs.

State represented by,  
The Inspector of Police,  
Thazhambur Police Station,  
Pallikaranai.

... Respondent

**PRAYER** : Criminal Original Petition is filed under Section 528 of BNSS, to issue direction to the respondent to conduct further investigation in Crime No.177 of 2025 dated 04.06.2025 and include all the offences committed by the accused and other materials as stated in the complaint dated 04.06.2025, pending on the file of the respondent Police.

For Petitioner : Mr.G.R.Hari

For Respondent : Mr.R.Vinothraja  
Government Advocate (Criminal Side)

**ORDER**

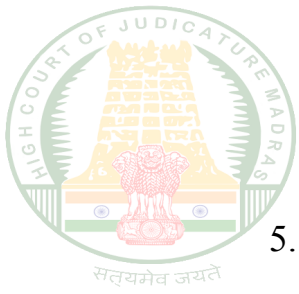
The Criminal Original Petition has been filed seeking to alter the offences in Crime No.177 of 2025 pending on the file of the respondent Police and to conduct further investigation.



**WEB COPY** 2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

3. It is the case where the petitioner's son was treated at Appollo Speciality Hospitals, OMR for recurrent balanoposthitis and circumcision was performed on 27.05.2025. On the same day, coblation adenoidectomy and tonsillectomy were also carried out. Thereafter, the child suffered bleeding from nose and mouth and succumbed on 04.06.2025.

4. Learned counsel appearing for the petitioner submitted that the hospital records have been tampered with and the receipts initially issued by the hospital did not contain any details regarding the vital examination, whereas, the document printed two days after the death of the child showed the vitals. Primarily, it is the contention of the petitioner that the death of the child was due to medical negligence. In this regard, no materials have been collected from the hospital and no hospital staff have been examined. Hence, according to him, a proper investigation has to be done by the respondent. Therefore, the present petition has been filed.



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5. The Government Advocate (Criminal Side), on instructions, submitted that the documents have been seized from the hospital and all the medical records have been forwarded to the Joint Director of Health Services, Chengalpattu. The report is awaited and on receipt of his opinion, the respondent will proceed further in this matter.

6. Considering the nature of case, the Assistant Commissioner of Police, Kelambakkam is directed to collect all necessary materials, conduct a thorough investigation and obtain an independent and competent medical opinion from a qualified Government Doctor in the relevant branch of medical practice and thereafter, proceed against the concerned Doctor, if medical negligence is established. The Investigating Officer shall also investigate the issue of tampering with medical records. Such exercise shall be completed as expeditiously.

7. Accordingly, the Criminal Original Petition stands disposed of

**18.08.2025**

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Neutral Citation: Yes/No



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**N. SATHISH KUMAR, J.**

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To

1. The Inspector of Police,  
Thazhambur Police Station,  
Pallikaranai.
2. The Public Prosecutor,  
High Court of Madras.

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***18.08.2025***