



CrI.O.P.No.21694 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.21694 of 2025

M.Murugan

... Petitioner

Vs.

State rep. by

1. The Superintendent of Police
Cuddalore District

2. Inspector of Police

Kullanchavadi Police Station
Cuddalore District

(Crime No.127 of 2025)

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to direct the first respondent to transfer the investigation to some other agency which is now pending in Crime No.127 of 2025 on the file of second respondent.

For Petitioner

: Mr.A.Arasu Ganeshan

For Respondents

: Dr.C.E.Pratap

Government Advocate (CrI. Side)



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ORDER

This Criminal Original Petition has been filed by the petitioner to direct the first respondent to transfer the investigation to some other agency, which is now pending in Crime No.127 of 2025 on the file of the second respondent.

2. The learned counsel for the petitioner submitted that the petitioner's son died on 18.05.2025 and, according to the prosecution, on the date of occurrence, the petitioner's son rode a two-wheeler along with two pillion riders, in a rash and negligent manner, and hit against an electric post, due to which he sustained injuries and died. Whereas, the fact is that the son of the petitioner had been in a love affair with a girl and it was severely opposed by her parents since they belonged to a different community. Earlier, the girl's sister's husband had forcibly taken the petitioner's son and kept him in a hidden place and threatened to kill him if he did not sever his love affair. While so, on



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18.05.2025, the relative of the said girl had forcibly taken the petitioner's son and murdered him and, in order to help those persons, the Investigating Officer has diverted the issue and concocted a story. If the present Investigating Officer continues the investigation, there may not be a fair investigation as he has already concluded that it was an accident.

3. The learned Government Advocate (Crl. Side) appearing for the respondents submitted that the deceased rode the two-wheeler in a rash and negligent manner and hit against an electric post and, due to the accident, he died, and that they are awaiting the post-mortem report.

4. Heard both sides and perused the materials available on record.

5. It is an admitted fact that the petitioner's son died on 18.05.2025.

According to the prosecution, the death occurred solely due to rash and



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negligent riding of a two-wheeler, resulting in a collision with an electric post.

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According to the petitioner, his son was in a love affair with a girl from another community, which was strongly opposed by her family. It is alleged that the girl's relatives, who were angered by the caste difference, forcibly took the petitioner's son and killed him, and that the police, in order to shield those persons, have portrayed the incident as an accident.

6. It is the contention of the learned Government Advocate (CrI. Side) that the deceased rode the two wheeler in a rash and negligent manner, hit against the electric post and died as a result of the accident and that the police are awaiting the post-mortem report. However, this Court is of the considered view that the post-mortem report can only reveal the medical cause of death; it cannot, by itself, disclose the true manner in which the incident took place or whether foul play was involved. The question of whether the deceased was forcibly taken away and killed due to caste-based opposition, or whether some



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other criminal act was committed, can only be determined through a fair and unbiased investigation.

7. The records placed before this Court create a reasonable apprehension that the present Investigating Officer has already proceeded on the assumption that the case is a simple road accident. When an investigation begins with such a pre-judged conclusion, there is little scope for uncovering the actual truth. In cases where there is even a suspicion of honour killing, the investigation must be conducted with extra care, free from influence, and with a focus on bringing all the facts to light.

8. Caste-based/honour killings continue to be a serious problem in the State. Even with greater public awareness and repeated Court directions, such crimes persist. The truth in these cases is often hidden under local influence or pressure from powerful persons, resulting in injustice to the victims and their



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families. The present case, on the materials available, shows circumstances that raise a genuine suspicion of such a crime. When a young life is lost in such conditions, it is the duty of the Court to ensure that the investigation is entrusted to an agency that can act impartially, without fear, and without favour.

9. In view of the above, this Court finds that the interests of justice would be best served by transferring the investigation to an independent agency. Accordingly, the second respondent police is directed to hand over the entire case file in Crime No.127 of 2025 to the CBCID, Cuddalore, forthwith. The CBCID, Cuddalore, shall take over the investigation, examine all angles including the possibility of honour killing, and complete the investigation in a fair, impartial, and prompt manner. The final report shall be filed within a period of three months from the date of receipt of a copy of this order.



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10. In the light of the above directions, this Criminal Original Petition is
allowed.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Superintendent of Police
Cuddalore District
2. Inspector of Police
Kullanchavadi Police Station
Cuddalore District
3. The CBCID, Cuddalore
4. The Public Prosecutor
High Court of Madras, Chennai



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P.VELMURUGAN,J.

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