



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP CrI. No. 611 of 2025 & WMP.No.285 of 2025

1. Annaadhurai Ramasamy,
S/o. Ramasamy, No. 5/246A, Jeyam
Gardens, Avinashilingapalayam street,
Kaikattiputhur, Tiruppur, Tamilnadu -
641604.

Petitioner(s)

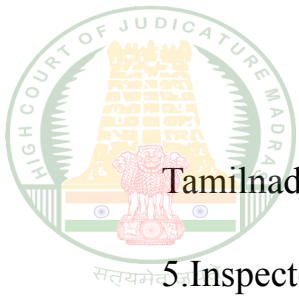
Vs

1. The Chief Secretary to Government
of Tamilnadu,
Secretariat, Fort St.George, Chennai -
600009.

2.The Additional Chief Secretary to the
government of Tamilnadu,
Department of Home, Prohibition and
Excise , Secretariat, Fort St.George,
Chennai - 600009.

3.Commissioner of Police,
Tiruppur City, city Police Office,
Kumar nagar, Tiruppur - 641603

4.Superintendent of Police,
Office of District Superintendent of
Police, Avinashi, Tiruppur District,



Tamilnadu - 641604.

5. Inspector General of Police,

Office of Inspector General of Police,

West Zone, Coimbatore District,

Tamilnadu - 641018.

6. Director General of Police,

Office of Director General of police,

Dr. Radhakrishnan Salai, Mylapore,

Chennai - 600004.

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India to direct the 1st Respondent to transfer the investigation to an independent investigation officer from the state Crime Investigation Department (CID) or the Central Bureau of Investigation (CBI) or a Special Investigation Team (SIT) to be headed by a retired judge in view of grave concerns regarding the manner in which the present investigation is being conducted.

For Petitioner (s): M/s. B.Mohan

For Respondents: Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the first respondent to transfer the investigation to an independent investigation officer



from the state Crime Investigation Department (CID) or the Central Bureau of Investigation (CBI) or a Special Investigation Team (SIT) to be headed by a retired judge in view of grave concerns regarding the manner in which the present investigation is being conducted.

2. A case has been registered for the alleged cruelty in connection with dowry which resulted in death of a newly married woman. The allegation found in the First Information Report is with regard to dowry demand and alleged cruelty. Originally, the First Information Report was registered under section 174[3] Cr.P.C. and now altered to offences under sections 85 and 108 of BNS. The grievance of the petitioner is that despite audio clippings have been handed over to the police which clearly indicate alleged demand of dowry, offence under section 80 of BNS has not been included and offence under Section 4 of Tamilnadu Prohibition of Harassment of women has not been added. Therefore, seeks transfer of investigation.



3. The learned Additional Public Prosecutor on instructions submitted that though originally the First Information Report has been 194 [3] of BNS, later the same was altered to offences under sections 85 and 108 BNS and three accused have been arrested. He further submitted that they are awaiting for the reports from the Forensic Department and once the reports are received, if any other offence is made out, they will include appropriate section of law and file the final report.

4. It is a case of dowry death and the statement of witnesses play vital role. Admittedly, the Revenue Divisional Officer had also conducted enquiry and statement of the defacto complainant and his family members have been recorded. In such view of the matter, this Court is of the view that after completing investigation, the respondent is directed to include any additional offence, if it is made out, and file the final report. Such investigation shall be monitored by the concerned Superintendent of Police.



5. It is the further contention of the learned counsel appearing for the petitioner that after seizure of the cell phone, the contents in the cell phone have been leaked by the police to the social media, whereas, the learned Additional Public Prosecutor denies the same. The Superintendent of Police shall also look into this issue.

6. Considering the nature of investigation and taking note of the fact that substantial investigation is already in progress and they are awaiting reports from the Forensic Department, at this stage, transferring investigation to some other agency will not serve any purpose and it will delay filing of final report. Further, while framing charges, if entire statement of witnesses and other documents collected by the investigation officer reveals that any charge has been omitted in the final report, the trial Court has its discretion to frame necessary charges.



7. With the above observations, this Criminal Original Petition is disposed of.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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of Tamilnadu,
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