

Crl.O.P.No.22597 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated: 22.08.2025

Coram:

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.22597 of 2025

Gunamma

...Petitioner

Vs.

1. The Director General of Police,
No.1, Kamarajar Salai, Mylapore,
Chennai – 600 004
2. The District Collector,
Krishnagiri District,
Collector Office,
Krishnagiri – 635 001
3. The Superintendent of Police,
Krishnagiri District Collectorate Campus,
Pothinayapally, Jakkapan Nagar,
Krishnagiri 635 002
4. The Assistant Superintendent of Police (ASP)
Hosur No.2, Denkanikottai Road,
Hosur – 635 109
5. The Inspector of Police,
Shoolagiri Police Station,
Shoolagiri Bypass Road, Shoolagiri,
Krishnagiri District – 635 117

...Respondents

Prayer:



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Criminal Original Petition filed under Section 528 of BNSS Act, 2023 to direct the respondent police to transfer the investigation concerned in Crime No.353 of 2019 on the file of the 5th respondent to the file of CBCID to conduct a free and fair investigation and to file a final report within a stipulated time.

For Petitioner : Mr.S.Kasirajan

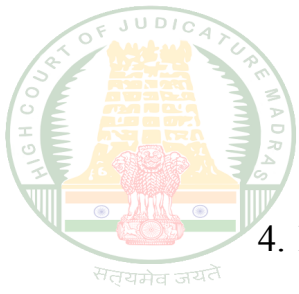
For Respondents : Mr.R.Vinothraja for R1 to R5
Government Advocate (Crl.Side)

ORDER

The present Petition is filed seeking a direction to the respondent police to transfer the investigation concerned in Crime No.353 of 2019 on the file of the 5th respondent to the file of CBCID to conduct a free and fair investigation and to file a final report.

2. The grievance of the petitioner is that despite further investigation ordered by the magistrate court, the investigation has not been conducted therefore, seeks transfer of investigation. The case of the petitioner is that her husband had suspiciously died, in this regard, the investigation has not been properly conducted.

3. I have perused the entire CD file placed on record.



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4. In fact, the petitioner's husband was missing from 11.07.2019 and his body was found on 13.07.2019 and postmortem did not indicate any external injury and viscera report also did not show presence of poison and earlier statement of the witnesses also did not indicate any thing except indicating that there was previous enmity four years back. However, while filing the protest petition, a new theory has been introduced as if there were witness, who saw the petitioner's husband being dragged.

5. Be that as it may, the 5th respondent is directed to conduct further investigation in Crime No.353 of 2019 and the Investigation officer shall record the statement of the person, viz., so called person, named by the petitioner and proceed further and file a final report. Such exercise shall be completed within a period of two months from the date of receipt of copy of the order.

6. With the above direction, the present Petition is disposed of.

22.08.2025

Index : Yes / No
Internet : Yes / No
Speaking Order / Non Speaking Order
ssd

To

1. The Director General of Police,
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5. The Inspector of Police,
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Krishnagiri District – 635 117

6. The Public Prosecutor,
High court, Madras

N.SATHISH KUMAR, J.



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