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CrI.O.P.No.30675 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.30675 of 2025

Thangam @ Selvi

... Petitioner

Vs.

1. The Superintendent of Police
Erode District

2. The Inspector of Police
Kadathur Police Station
Erode District

3. The Superintendent of Police
CBCID Erode District, Erode

... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS,
to transfer the investigation in Crime No.410 of 2019 on the file of the 2nd
respondent, to the 3rd respondent.

For Petitioner : Mr.M.Nandhakumar

for M/s. Eswar, Kumar & Rao Law Firm



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



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ORDER

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The Criminal Original Petition has been filed seeking to transfer the investigation in Crime No.410 of 2019, on the file of the 2nd respondent Police, to the 3rd respondent/CBCID.

2. When the matter was taken up for hearing today, the 2nd respondent Police filed a status report.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that based on the complaint given by one Baby on 19.11.2019 that her husband namely Mani @ Murugan, was hit by an unknown vehicle and with the help of an Ambulance, he was taken to Gobi Hospital for treatment, the FIR in Crime No.410 of 2019 was registered for the offences under Sections 279 and 337 IPC. While the said Mani @ Murugan was under treatment, he succumbed to the injuries on 20.11.2019. Therefore, the offences were altered to Sections 279 and 304(A) IPC. He would further submit that despite the effective steps taken to trace the vehicle involved in the offence, the 2nd respondent police were unable to make any progress. Subsequently, on 15.12.2020, they closed the case in



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Crime No.410 of 2019 as 'undetected' and R.C.S. No.36 of 2020 was served

on the de facto complainant namely Baby on the same day. Thereafter, the final report was filed before the Judicial Magistrate No.II, Gobichettipalayam, and the same was taken on file vide R.C.S.No.24 of 2022 on 18.07.2022. He would also submit that when the investigation in this case has been completed as early as on 15.12.2020 and the final report has been filed as early as on 18.07.2022, there is no question of transfer of investigation to another agency.

4. It is seen that the investigation has already been completed and the R.C.S. has also been served on the de facto complainant. Therefore, as rightly submitted by the learned Additional Public Prosecutor, the question of transfer of investigation to some other agency is not possible at this stage. Hence, this Court is not inclined to entertain this petition.

5. Accordingly, this Criminal Original Petition is disposed for with liberty to the petitioner to proceed further in accordance with law.



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Neutral Citation: Yes/No

To

1. The Superintendent of Police

Erode District

2. The Inspector of Police

Kadathur Police Station, Erode District

3. The Superintendent of Police

CBCID Erode District, Erode

4. The Public Prosecutor

High Court of Madras.

A.D.JAGADISH CHANDIRA, J.

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