



Crl.O.P.(MD)No.1540 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.1540 of 2025

Dhanaraj

.. Petitioner

Vs.

1. The Superintendent of Police
Office of the Superintendent of Police
Dindigul, Dindigul District

2. The Inspector of Police
Chatrapatti Police Station,
Dindigul District

.. Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records pertaining to the Closure Report dated 30.12.2023 in Crime No. 153/2022 dated 22.12.2022 on the file of Inspector of Police, Chatrapatti Police Station, Dindigul District and set-aside the same and direct the above case in Crime No. 153 of 2022 to be re-investigated by any other independent investigating agency within the State of Tamil Nadu.

For Petitioner : Mr. B.N.Raja Mohamed
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to call for the records pertaining to the Closure Report dated 30.12.2023 in Crime No. 153/2022 dated 22.12.2022 on the file of Inspector of Police, Chatrapatti Police Station, Dindigul District and set-aside the same and direct the above case in Crime No. 153 of 2022 to be re-investigated by any other independent investigating agency within the State of Tamil Nadu.

2. The petitioner who is the cousin brother of the deceased Udhayakumar has stated that on 21.12.2024 at about 4.45 a.m., when they were on pathyatra to Palani temple he found his cousin brother Udhayakumar was hit by a vehicle, due to which he sustained injuries and thereafter he was taken to Government Hospital, Palani for first aid and later taken to Government Rajaji Hospital, Madurai and later he succumbed to injuries. Thereafter complaint has been lodged in Crime No. 152 of 2024 for the offences under Sections 279 and 304(A) of IPC as hit and run case. Thereafter no action has been taken. Thereafter the petitioner was served with closure report dated 30.12.2023 as undetected, hence the present petition has been filed.



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3. The learned Additional Public Prosecutor submitted that on the complaint of the petitioner a case has been registered in Crime No. 152 of 2024 for the offences under Sections 279 and 304(A) of IPC. Thereafter the respondent police had gone to the scene of occurrence near Chindalavadampatti Nallathangal odai where it was found that near the scene of occurrence there was a public toilet in which CCTV camera has been installed. Thereafter the CCTV recording in and around the places were collected. Recording shows that at the time of occurrence a Mahindra Maxi Cab a tourist van had hit the deceased. Since it was an ayyapan season the identity of the vehicle could not be further confirmed. Further special team has been formed and now the case has not been closed it is kept as undetected as and when any material is collected confirming the identity of the vehicle which hit the deceased a case would be registered informing the petitioner and the offenders would be prosecuted. The petitioner can also collect any materials which he come across about the accident aiding the respondent police



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4. Recording the submission made by the learned Additional Public

Prosecutor the Criminal Original Petition stands disposed of.

28.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Superintendent of Police
Office of the Superintendent of Police
Dindigul, Dindigul District
2. The Inspector of Police
Chatrapatti Police Station,
Dindigul District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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