

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.04.2025

CORAM:

THE HONOURABLE **MR. JUSTICE K.K.RAMAKRISHNAN**

CrI.O.P.(MD) No.1421 of 2025

Mayilthai

... Petitioner

Vs.

1.The Superintendant of Police,
Madurai District,
Madurai.

2.The Superintendent of Police,
Theni District,
Theni.

3.The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to order change of investigation in the matter relating to the Crime No.94 of 2023 dated 31.03.2023 on the file of the third respondent and entrust the same to any other investigating agency as for fair investigation of the case.



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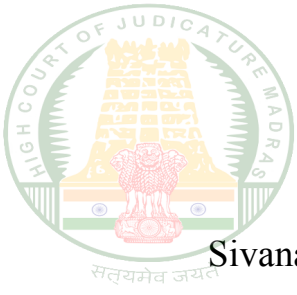
For Petitioner : Mr.A.Jeyaramachandran

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the first respondent to transfer the investigation in connection with Crime No.94 of 2023 from the file of the third respondent to any other investigating agency.

2. The case of the prosecution is that the petitioner is the mother of the deceased Maheswari, who was studying II year M.Ed., at Madurai Kamaraj University Campus at Nagamalai Pudukottai. On 30.03.2023, at about 11.15 p.m, the petitioner and her husband were informed that the deceased fell down from the upstairs of the Hostel and hence, she was taken to the Government Rajaji Hospital, Madurai. On hearing the same, immediately, they went to the hospital and the doctors declared that the deceased died due to the injuries. The petitioner and her husband came to know that the deceased had fell in love with one Kumaravel. They were living as husband and wife and number of times, the deceased transferred the amount to the said Kumaravel, his brother namely, Kumarasamy and one



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Sivanantham. Particularly, on the date of occurrence, the deceased made chat with the above said Kumaravel through video call. Thereafter only, the said occurrence was happened. Hence, the father of the deceased suspected that there was suspicion in the death of the deceased and hence, he lodged a complaint before the third respondent police. The third respondent police registered a case in Crime No.94 of 2023 on 31.03.2023 for the offence under Section 174 of Cr.P.C., Since there was no progress in the case, the father of the deceased sent a representation to the Hon'ble Governor of Tamil Nadu on 16.06.2023 seeking speedy investigation. The Hon'ble Governor of Tamil Nadu forwarded the same to the second respondent. In turn, the second respondent forwarded the same to the first respondent for taking appropriate action. But, till date no steps were taken. Hence, the petitioner filed this petition with the above said prayer.

3. When the matter came up for hearing on 27.01.2025, the Superintendent of Police, Madurai, appeared before this Court in person and undertook to appoint some other officer to conduct investigation. After hearing the same, the matter was ordered to be reserved for orders and also listed on 08.04.2025 for compliance of undertaking.



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4. On 08.04.2025, Mr.M.Anantha Raj, Deputy Superintendent of Police, Samayanallur Sub Division, Madurai District, was appeared before this Court in person and submitted that he is a newly appointed Investigating Officer and sought for time to complete the investigation. Considered the same, this Court, adjourned the matter to 30.04.2025 by directing him to complete the investigation and file a report before this Court on 30.04.2025.

5. When the matter came up for hearing today, Mr.M.Anantha Raj, Deputy Superintendent of Police, Samayanallur Sub Division, Madurai District, is appeared before this Court in person and also submitted that during the investigation he found that the death of the deceased is a accidental death and final report was filed before the learned Judicial Magistrate No.6, Madurai, through e-filing No.LTN20220001565C202500182 by closing the investigation as 'Accidental fall'.

6. Mr.M.Anantha Raj, Deputy Superintendent of Police, Samayanallur Sub Division, Madurai District, is directed to serve a copy of the final report to the petitioner.



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7. The petitioner is at liberty to file an appropriate petition before the appropriate Court to redress his grievance as per law.

8. With the above said direction and liberty, this Criminal Original Petition is disposed of.

30.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
dss

To

- 1.The Superintendant of Police,
Madurai District, Madurai.
- 2.The Superintendent of Police,
Theni District, Theni.
- 3.The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.

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