



Crl.O.P(MD)No.4060 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.4060 of 2025

Chellammal

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by,
The Superintendent of Police,
Dindigul District.
- 2.The Superintendent of Police,
CBCID, Chennai.
- 3.The Deputy Superintendent of Police,
CBCID, Dindigul,
Dindigul District.
- 4.The Inspector of Police,
Natham Police Station,
Dindigul District.
Crime No.463 of 2024.
- 5.The Inspector of Police,
CBCID, Dindigul,
Dindigul District.

... Respondents



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Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to transfer the investigation in Crime No.463 of 2024 pending on the file of the fourth respondent and entrust the same to the file of the fifth respondent and pass such other or further orders as this Court.

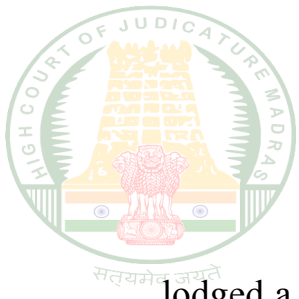
For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.463 of 2024 pending on the file of the fourth respondent and entrust the same to the file of the fifth respondent.

2. According to the petitioner, the petitioner is the mother of the deceased, who died in the accident, dated 22.08.2024. The petitioner's son while riding in the two-wheeler bearing Registration No.TN 63 BF 0105 near Natham to Madurai Road, the school bus Pandukuti Sri Lakshmi Narayana Vidyalaya School driver drove the bus in a rash and negligent manner and dashed against the two-wheeler and thereby, he died on the spot itself. While so, the driver of the bus taking advantage of the death of the petitioner's son,



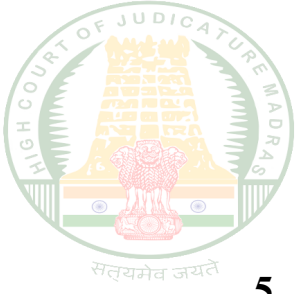
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lodged a complaint against the deceased and registered a case in Crime No.463 of 2024. The petitioner also lodged a complaint against the driver of the bus which involved in the accident but the same has not been considered and no action was taken. Therefore, the petitioner filed this petition to transfer the investigation from the respondents 4 to 5.

3. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that based on the complaint given by the driver of the bus, they registered a case in Crime No.463 of 2024 and thereafter, they conducted investigation and closed the same as action drop since the accident was caused due to the negligent on the part of the deceased. The report was also sent to the learned Magistrate and the case was closed. Therefore, nothing survives for further adjudication in this case.

4. Since the prayer of the petitioner is to transfer the investigation in Crime No.463 of 2024 and the same was already closed as action dropped, nothing survives for further adjudication in this case. However, the petitioner is at liberty to take appropriate steps for the complaint given by the petitioner as against the driver of the bus in the manner known to law.



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5. With the above said observations, this Criminal Original Petition stands closed.

05.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Superintendent of Police,
Dindigul District.
- 2.The Superintendent of Police,
CBCID, Chennai.
- 3.The Deputy Superintendent of Police,
CBCID, Dindigul,
Dindigul District.
- 4.The Inspector of Police,
Natham Police Station,
Dindigul District.
Crime No.463 of 2024.
- 5.The Inspector of Police,
CBCID, Dindigul,
Dindigul District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

BTR

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