



Crl.O.P(MD)No.4394 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.4394 of 2025

N.Thiagarajan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by,
The Commissioner of Police,
Trichy City,
Trichy District.

2.The Sub Inspector of Police,
Traffic Investigation Wing
(TIW) (North) Police Station,
Trichy City,
Trichy District.
Crime No.149 of 2024.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to direct the first respondent to depute an independent officer other than the second respondent to investigate the case in Crime No.149 of 2024, dated 24.08.2024 on the file of the second respondent police and to file a final report



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within a time frame fixed by this Court and pass such further or other orders as this Court.

For Petitioner : Mr.R.Muthuram

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

ORDER

This Criminal Original Petition has been filed to direct the first respondent to depute an independent officer other than the second respondent to investigate the case in Crime No.149 of 2024, dated 24.08.2024 on the file of the second respondent police and to file a final report.

2. The learned Counsel appearing for the petitioner would submit that, the petitioner is the de facto complainant in this case and on 17.08.2024 at about 07.00 a.m, the petitioner met with an accident and thereby, he lodged a complaint and based on his complaint, a case in Crime No.149 of 2024 for the offences under Sections 281 and 125(a) of the Bharatiya Nyaya Sanhita, 2023 has been registered but the second respondent has not shown any interest to investigate the matter and file final report. Thereafter, the petitioner also obtained CCTV footages from the corporation park and private school near the



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scene of occurrence and handed over to the second respondent. Despite that the second respondent has not taken any effective steps to investigate the case and identify the accused. Therefore, the investigation case has to be transferred from the second respondent to some other agency.

3. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that already they registered a case based on the complaint given by the petitioner and the second respondent also conducted investigation. The petitioner also handed over the CCTV footages and on careful perusal of the CCTV footages, they unable to identify the face of the person, who involved in this case and also unable to identify the vehicle. Moreover, they also examined some witnesses and unable to find out the accused. However, they will conduct fair investigation and complete the same, within one month.

4. The prayer of the petitioner is to transfer the investigation and according to the petitioner, the second respondent has not taken any steps to identify the accused, but the second respondent denied the same and they also taken steps. According to the second respondent, the CCTV footages are not



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clear and unable to find out the accused. However, there are no any valid grounds to transfer the investigation and only because there is a delay in identifying the accused that cannot be a ground to transfer the investigation.

5. This Court recording the above said submission of the learned Government Advocate (Crl. Side) appearing for the respondents directs the respondents to conduct fair investigation and to file final report, within a period of one (1) month from the date of this order.

6. With the above said observations and directions, this Criminal Original Petition stands closed.

11.03.2025

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

To

1.The Commissioner of Police,
Trichy City,
Trichy District.



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2. The Sub Inspector of Police,
Traffic Investigation Wing
(TIW) (North) Police Station,
Trichy City,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

BTR

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