



CRL.OP(MD) NO.7624 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL.O.P(MD) No.7624 of 2025

Ramaiah

... Petitioner

Vs

1. The Superintendent of Police,
Karur District, Karur.

2. The Inspector of Police,
Aravakuruchi Police Station,
Karur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to withdraw the case in Crime No.356 of 2024 dated 19.09.2024, on the file of the 2nd respondent and transfer the same to any other investigating agency other than the 2nd respondent.

For Petitioner : Mr.G.Hari Haran

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



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ORDER

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This petition has been filed by the petitioner to transfer the case in Crime No.356 of 2024 on the file of the 2nd respondent to some other investigating agency.

2. The learned counsel appearing for the petitioner would submit that the petitioner's son died in a road accident and thereby, a case has been registered in a Crime No.356 of 2024 for the offences under Sections 281 and 106(1) of BNSS. The F.I.R has been registered as against an unknown vehicle and so far the 2nd respondent police have not taken steps to identify the vehicle and they have not even verified the CCTV footages available in the tollgate. The petitioner has also sent a representation dated 06.02.2025, but no action was taken. Hence this petition.

3. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that, based on the complaint lodged by the petitioner, they registered a case in Crime No.356 of 2024 for the offences under Sections 281 and 106(1) of BNSS. Now they are conducting investigation and they are unable to identify the vehicle which involved in the accident. However, if the petitioner has any material in respect of the



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crime, he can approach the 2nd respondent and produce the materials, then

they can act in accordance with law. Therefore, the transfer of investigation would not arise in this case without any valid grounds.

4. Considering the prayer sought for in the petition and the 2nd respondent police have also conducting the investigation in a fair manner and there are no valid grounds to transfer the case and no any specific allegation levelled against the 2nd respondent in the petition, in the above said circumstances, it is not appropriate to transfer the case. However, the petitioner is at liberty to approach the 2nd respondent, if he has any material in respect of the above said crime.

5. With the above said observation, this Criminal Original Petition is disposed of.

25.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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P.DHANABAL, J.

Mac

To

1. The Superintendent of Police,
Karur District,
Karur.
2. The Inspector of Police,
Aravakuruchi Police Station,
Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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