



CrI.O.P.(MD)No.11542 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.11542 of 2025

Vanitha

... Petitioner

Vs.

1.The Superintendent of Police,
District Police Office,
Thanjavur District.

2.The Inspector of Police,
Thiruvaidaimaruthur Police Station,
Thanjavur District.
Crime No.255 of 2024.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to issue a direction, directing the 1st Respondent to transfer the investigation in Cr.No.255 of 2024 from the 2nd Respondent herein to any other agency to investigate the same without any bias and file a final report within stipulated time fixed by this Court.

For Petitioner : Mr. M.Karunanithi

For Respondents : Mr. E.Antony Sahaya Prabahar
Government Advocate(CrI.side)



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ORDER

The petitioner, who is the defacto complainant in Cr.No.255 of 2024 on the file of the second respondent Police, has filed this petition seeking transfer of investigation.

2.The learned counsel appearing for the petitioner submits that the petitioner's husband met with an accident and he was admitted in the hospital. The respondent Police obtained a statement from him, however, no case has been registered. After a delay of five days, a case in Cr.No.255 of 2024 has been registered. Even thereafter, the investigating agency has not collected CCTV footages which is very much available in the scene of occurrence and they have not conducted the investigation properly.

3.The learned Additional Public Prosecutor appearing for the respondents submits that the case has been registered on 05.04.2024 for the offence under Sections 279 and 337 IPC and it has been now altered



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into Section 304 (A) IPC. The investigation, according to the learned Additional Public Prosecutor, is pending.

4.This Court has considered the submissions made on either side.

5.It is very unfortunate that the defacto complainant has conducted some investigation and found that there are CCTV footages covering the accident said to have taken place on 29.03.2024. Though the case was registered on 05.04.2024, it appears that the respondent Police has not collected the CCTV footages, which necessitated the petitioner to file this application. The investigating officer must realise that the CCTV footages, if any, available in the place of occurrence may through some light as to the manner in which the occurrence had taken place. By this time, the CCTV footages ought to have been collected and failure to do so, would only mean dereliction of duty.

6.The Deputy Superintendent of Police, Thiruvudaimaruthur, Thanjavur District shall verify the case file in Cr.No.255 of 2024 and take a call as to whether the investigation can be allowed to continue with the same Investigating Officer. The Deputy Superintendent of



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Police shall also ensure the investigation in Cr.No.255 of 2024 is conducted in a proper manner and the persons, who committed the offence, are fixed. Accordingly, this criminal original petition is disposed of.

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NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

- 1.The Superintendent of Police,
District Police Office,
Thanjavur District.
- 2.The Inspector of Police,
Thiruvidadaimaruthur Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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