



CrI.O.P.(MD)No.12721 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.12721 of 2025

Chitra

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Vadipatti Police Station, Madurai District.
(In Crime No.224 of 2023)

3.M.Ramanan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to direct the first and second respondents to transfer the investigation in Crime No.224 of 2023 on the file of the second respondent Police Station to an independent investigating agency and to conduct re-investigation under the supervision of the first respondent and complete the investigation within a time frame as may be stipulated by this Court.

For Petitioner

: Mr.S.Sankarapandian

For R1 & R2

: Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.



ORDER

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The petitioner, who is the wife of the deceased, has filed this petition seeking a direction to the respondents 1 and 2 to transfer the investigation in Crime No.224 of 2023 from the file of the 2nd respondent Police Station to an independent investigating agency.

2.The learned counsel appearing for the petitioner submits that the petitioner's husband died in an accident on 27.06.2023, for which, a case has been registered in Crime No.224 of 2023, based on the complaint given by one Ramanan. According to the petitioner, the said Ramanan has caused the accident. However, the case has been registered on the complaint of the said Ramanan. He further submits that the investigation is also proceeding as if the deceased has committed the mistake, whereas, it is the defacto complainant, who is responsible for the accident. Since the respondent Police is not conducting the investigation in a proper manner, the petitioner seeks for transfer of investigation.

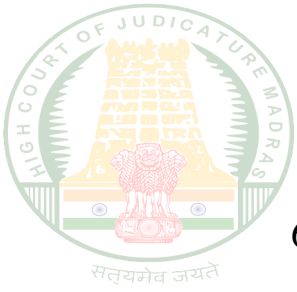
3.The learned counsel for the petitioner further submits that though the respondent police has not conducted a proper investigation, the



petitioner, on her own efforts, collected the CCTV footage from the place of occurrence. The petitioner is also having CCTV footage, which would disclose that the defacto complainant has caused the accident. The petitioner has also placed CCTV footage before the respondent Police. Even then, the respondent Police is conducting the investigation in a biased manner.

4.The learned Additional Public Prosecutor submits that in the event, if the petitioner produces CCTV footage, they would consider the same and they would conduct the investigation in a proper manner

5.The petitioner is the wife of the deceased. A widow was capable of verifying in the occurrence place and also capable of collecting the CCTV footage. However, the respondent Police is claiming that they are not aware of the CCTV footage and in the event, if the CCTV footage is furnished to them, they would conduct the investigation in a proper manner. Therefore, this Court was inclined to transfer the investigation from the file of the 2nd respondent Police.

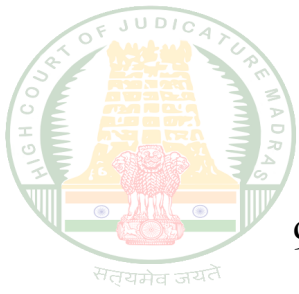


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6.In view of the above, this Court by its earlier order dated 29.07.2025 directed the learned Additional Public Prosecutor to get instructions from the respondent Police as to whether they have collected CCTV footages or not. The learned Additional Public Prosecutor, after getting instructions, submits that the investigating agency is aware of the CCTV footages and they have collected the same, based on which, they are conducting investigation.

7.This Court has considered the submission made on either side and perused the available records.

8.The accident is said to have taken place on 27.06.2023, for which, a case in Cr.No.224 of 2023 has been registered, on the same day. It appears that the entire incident has been captured by the CCTV camera, which was installed nearby the place of occurrence. The Police claims that they have recovered CCTV footages. Even then, the investigating officer has taken more than two years to complete the investigation. It discloses the manner in which the investigation has been conducted by the investigating officer.



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9. Since the second respondent Police has conducted the investigating in a careless and negligent manner, this Court is inclined to transfer the investigation of the case in Cr.No.224 of 2023 from the file of the second respondent. The first respondent is directed to withdraw the case in Cr.No.224 of 2023 from the file of the second respondent Police and entrust the same to some other sincere Officer and shall ensure that the final report is filed, within a period of two months from the date of receipt of a copy of this order. Accordingly, this criminal original petition is allowed.

01.08.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Vadipatti Police Station, Madurai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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