



Crl.O.P.(MD)No.13281 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.13281 of 2025

Sivaraman

... Petitioner

versus

1. State of Tamilnadu, rep. by
The Superintendent of Police,
Theni District.

2. The State of Tamil Nadu, rep. by
The Inspector of Police,
Gudalur Noth Police Station,
Theni District.

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to transfer the investigation in Crime No.87 of 2025 on the file of the 2nd respondent Police and entrust the same to any other law enforcing agency for a proper and fair enquiry.

For Petitioner : Mr.G.Vishnuram

For R1 and R2 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

ORDER

The petitioner is the defacto complainant in Crime No.87 of 2025. He has filed this petition seeking transfer of investigation in Crime No.87 of



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2025 from the file of the 2nd respondent Police to some other investigating agency.

2. The learned counsel appearing for the petitioner submits that the petitioner's son died in a suspicious manner on 29.05.2025 in his friend's farm-house. In this regard, he lodged a complaint before the respondent Police on 30.05.2025. According to the petitioner, the deceased's friends are ganja addict and they would have murdered his son. However, the respondent Police has not conducted any proper investigation on the allegations made by the petitioner. Therefore, the petitioner has filed this petition seeking transfer of investigation.

3. The learned Additional Public Prosecutor submits that the case was registered only on 30.05.2025. The petitioner's son was found hanging in a cow shed in the farm-house belonging to his friend. They are yet to complete the investigation. The period provided under the Statute itself is not yet over. They are also prepared to consider the allegations, if any made by the petitioner, during the course of investigation. At this stage, the petitioner cannot find fault with the investigation agency that they are not conducting the investigation properly.



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4. This Court considered the rival submissions made.

5. As pointed out by the learned Additional Public Prosecutor, the occurrence had taken place only on 30.05.2025 and the investigation period provided under the Statute is not yet over. Therefore, at this stage, this Court is not inclined to interfere with the investigation. However, considering the plight of the father, who lost his son, the respondent Police is directed to conduct the investigation as per the doubt, if any the petitioner is having. The respondent Police is also directed to furnish a copy of the postmortem report, viscera report and other scientific documents, if any, to the petitioner to understand the case and also to assist the investigation.

6. Investigation is a process of finding out the truth. The State is taking care of the victim's grievance and conducting investigation on behalf of the victim. Therefore, the investigation agency is having certain responsibility to conduct the investigation in a fair and proper manner. The petitioner is also at liberty to furnish the details about his doubt to the investigating agency.



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7. Accordingly, this Criminal Original Petition is dismissed.

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NCC : Yes/No
Index : Yes/No
Internet: Yes
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To

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



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B.PUGALENDHI, J.

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