



CRL OP(MD). No.18828 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 29.10.2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.18828 of 2025

Kabilarasi

... Petitioner

Vs

1. The State of Tamilnadu, Rep By
The Superintendent of Police,
Thanjavur.
2. The Deputy Superintendent of Police,
Kumbakonam.
3. The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
(In Crime No.398/2025)

... Respondents

PRAYER :- This Criminal Original Petition is filed under Section 528 BNSS, to conduct the investigation in Crime No.398 of 2025 pending on the file of the 3rd respondent by the 1st respondent or any other competent person.

For Petitioner : Mr.P.Ganapathy Subramanian

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor



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ORDER

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The petitioner seeks transfer of the investigation in Crime No.398 of 2025 from the file of the third respondent to any other competent authority.

2.It is the case of the petitioner that her husband had undergone surgery in Arun Ortho and Spine Hospital; that thereafter proper care was not taken by the hospital staff and doctors; that the petitioner's husband passed away; that she lodged a complaint in Crime No. 398 of 2025, which was registered under Section 194 of BNS and that the respondent police have not taken any effective action so far.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that seven witnesses have been examined and that since it is a case of medical negligence, no further action can be taken unless the report of the Dean, Medical Board, is obtained.

4. In the light of the above submission, this Court finds no reason



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to transfer the investigation at this stage. However, the third respondent shall conclude the investigation and file a final report within a period of three months from the date of receipt of a copy of this order, under the supervision of the second respondent.

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

29.10.2025

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
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TO

1. The Superintendent of Police,
Thanjavur.
2. The Deputy Superintendent of Police,
Kumbakonam.
3. The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SUNDER MOHAN,J.

cp

ORDER
IN
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