



Crl.O.P.(MD)Nos.18844, 17211 and 18738 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 26.11.2025

PRONOUNCED ON : 09.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).Nos.18844, 17211 and 18738 of 2025
and Crl.MP.(MD) Nos.15636, 14007 and 15523 of 2025

Crl.OP.(MD) No.18844 of 2025:

M.Arunachalam ... Petitioner/PW82

Vs.

1. The State of Tamil Nadu rep. By
The Superintendent of Police,
CBCID Madurai, Madurai District.
(Crime No.2/2019) ... 1st Respondent/Complainant

2 Jeya ... 2nd Respondent/Defacto Complainant

3. Alexraj

4. Ravichandran

S/o.Raman

5. Ravichandran

S/o.Santhanam

6. Sathishkumar ... Respondents 3 to 6 / A1 to A4

7.

[The respondents 3 to 6 herein are confined at Central Prison, Madurai]

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to expunge the adverse remarks, directing the 1st respondent to file



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a Supplementary Final Report / Additional Charge Sheet as against the petitioner herein and with the further direction to the Director General of Police, to place the petitioner under suspension till the filing of the Supplementary Final Report / Additional Charge sheet in the judgment dated 26.09.2025 passed in SC.No.289 of 2021 on the file of the learned V Additional District and Sessions Judge, Madurai, Madurai District.

Crl.OP.(MD) No.17211 of 2025:

The State of Tamil Nadu rep. By
The Superintendent of Police,
Crime Branch, CID (Camp),
South Zone, CBCID Headquarters,
(Old Commissioner of Police Campus,
Pantheon Road, Egmore, Chennai – 600 008
Crime No.2/2019 CBCID, Madurai) ... Petitioner/Investigating Agency

Vs.

- | | |
|-----------------|--|
| 1. Jeya | ... 1 st Respondent/Defacto Complainant |
| 2. Alexraj | |
| 3. Ravichandran | |
| S/o.Raman | |
| 4. Ravichandran | |
| S/o.Santhanam | |
| 5. Sathishkumar | ... Respondents 2 to 5 / A1 to A4 |

[The respondents 2 to 5 herein are confined at Central Prison, Madurai]

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the case in S.C.No.289 of 2021 on the file of the learned V Additional District and Sessions Judge, Madurai, Madurai District and expunge the directions issued therein for



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filing of an Supplementary Final Report / Further Investigation
pertaining to the case in Crime No.2 of 2019 by judgment dated
26.09.2025.

Crl.OP.(MD) No.18738 of 2025:

Tmt.R.Rajeswari, I.P.S., ... Petitioner/PW87

Vs.

1. The State of Tamil Nadu rep. By
The Superintendent of Police,
CBCID Madurai, Madurai District.
(Crime No.2/2019) ... 1st Respondent/Complainant

2 Jeya ... 2nd Respondent/Defacto
Complainant

3. Alexraj

4. Ravichandran

S/o.Raman

5. Ravichandran

S/o.Santhanam

6. Sathishkumar ... Respondents 3 to 6 / A1 to A4

[The respondents 3 to 6 herein are confined at Central Prison, Madurai]

Prayer: Criminal Original Petition is filed under Section 528 of BNSS,
2023, to expunge the adverse remarks, directing initiation of Disciplinary
Action as against the petitioner in the judgment dated 26.09.2025 passed
in SC.No.289 of 2021 on the file of the learned V Additional District
and Sessions Judge, Madurai, Madurai District.



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For Petitioner

In Crl.OP.(MD) No.18844 of 2025
In Crl.OP.(MD) No.17211 of 2025

Mr.Mayil Vahana Rajendran. C
Mr.Hasan Mohammed Jinnah
State Public Prosecutor
and Mr.A.Thiruvadikumar,
Additional Public Prosecutor
Mr.N.Dilip Kumar
for Mr.P.Sujai Krishana

In Crl.OP.(MD) No.18738 of 2025

For Respondents

For R1 in Crl.OP.(MD) Nos.18844
and 18738 of 2025

Mr.Hasan Mohammed Jinnah
State Public Prosecutor
and Mr.A.Thiruvadikumar,
Additional Public Prosecutor
Mr.Henri Tiphagne
for Mr.R.Karunanidhi

For R1 in Crl.OP.(MD) No.17211
of 2025 and for R2 in
Crl.OP.(MD) Nos.18844 and 18738 of 2025

For R2 to R5 in Crl.OP.(MD) No.17211
of 2025 and for R3 to R6 in
Crl.OP.(MD) Nos.18844 and 18738 of 2025

No appearance

COMMON ORDER

The above petitions have been filed seeking to set aside/expunge certain directions issued by the learned V Additional District and Sessions Judge, Madurai, in S.C.No.289 of 2021 after convicting the accused therein for the major offence under Section 304(ii) of the IPC.

2. (i) Crl.OP.(MD).No.17211 of 2025 has been filed by the State, challenging the directions issued to conduct further investigation as against a few witnesses and to file a final report.



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(ii) Crl.OP.(MD).No.18738 of 2025 has been filed by PW87 who was the investigating officer against whom, the learned Judge has directed disciplinary action.

(ii) Crl.OP.(MD).No.18844 of 2025 has been filed by PW82, in respect of whom, there is a direction issued to the Director General of Police to suspend him till the conclusion of the further investigation directed by the Court.

3. The brief facts leading to the filing of the above petitions are as follows:

(i) On 03.01.2019, a complaint was lodged by one Kalyanasundaram, alleging theft of 23½ sovereigns of gold jewels from his house.

(ii) On 14.01.2019, an FIR was registered in Cr.No.9 of 2019 for the offence under Sections 454 and 380 of the IPC.

(iii) On 07.01.2019, the suspected accused Muthu Karthick appeared for enquiry.



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(iv) On 13.01.2019, the said Muthu Karthick was taken to custody from his work place.

(v) On 16.01.2019, the suspected accused Muthu Karthick called PW1, his mother through a mobile phone and informed that he is in SS Colony Police Station, Madurai.

(vi) It is alleged that the said Muthu Karthick was in illegal custody from 13.01.2019 to 16.01.2019 and on 16.01.2019, an FIR was registered in Cr.No.24 of 2019 for the offence under Section 387 and 506(ii) of the IPC by PW61, Sub Inspector of Police.

(vii) On 16.01.2019, Muthu Karthick was produced before the Juvenile Justice Board (JM-III, Madurai) and was granted bail. On 16.01.2019 at about 10.25pm, since the health of the said Muthu Karthick deteriorated, he was admitted in a private hospital.

(viii) On 18.01.2019, he was diagnosed with kidney failure and shifted to Madurai Rajaji Government Hospital and on 24.01.2019, the said Muthu Karthick, died.

(ix) Based on the complaint given by PW1, mother of the deceased Muthu Karthick, a CSR bearing No.53 of 2019 was assigned by PW80 and on the request of PW1 not to conduct postmortem, the body of the



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deceased was handed over without postmortem and was cremated at Puliyangulam.

(x) A writ petition was filed by PW1 in WP (MD).No.5143 of 2019, to transfer the investigation to CBCID. On the orders of this Court dated 08.03.2019, the body was exhumed and further, on the directions of this Court, a case in Cr.No.189 of 2019 under Section 174 of Cr.P.C., was registered by PW82, the then Inspector of Police (Law & Order), SS Colony Police Station (petitioner in Crl.OP.(MD) No.18844 of 2025).

(xi) The case was transferred to CBCID by the order dated 26.03.2019 and on 26.04.2019, the PW87, the Superintendent of Police, South Zone-Chennai, CBCID, Chennai [petitioner in Crl.OP.No.18738 of 2025], re-registered the case in Cr.No.2 of 2019. On 18.11.2020, a charge sheet was filed against four accused for offences under Sections 304(ii) and 343 of the IPC.

(xii) The prosecution examined 89 witnesses viz., PW1 to PW89 and marked 183 documents as Ex.P1 to Ex.P183, besides 9 material objects as M.O.1 to M.O.9. On the side of defence 12 witnesses were examined as DW1 to DW12.



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(xiii) The learned Judge convicted the accused for the aforesaid offences and finding that there was a lapse in the investigation and some of the police officers were also involved in the screening of the offence, issued the directions which are challenged in the above petitions.

4. The State is aggrieved by the direction to conduct further investigation as against PW61, PW81 and PW82 for the alleged offences said to have been committed by them under Section 201 r/w Sections 343 and 304 (ii) of the IPC.

5. (i) Mr.Hasan Mohammed Jinnah, learned Public Prosecutor and Mr.Thiruvadikumar, learned Additional Public Prosecutor would submit that the learned trial Judge, had exceeded his jurisdiction in directing further investigation after the judgment was delivered and relied upon the observations made by the Hon'ble Supreme Court in ***Vinubhai Haribhai Malaviya and Others vs. State of Gujarat***, reported in **2019 (17) SCC 1**. They further submitted that the trial Judge does not have inherent powers to issue such directions and relied upon the judgment of the Hon'ble



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Supreme Court in ***Samaj Parivartan Samudaya and Others vs. State of Karnataka and others***, reported in **2012(7) SCC 407**.

(ii) The learned Public Prosecutors further submitted that if the learned Judge was of the opinion that three witnesses referred to above were guilty of the offences under Section 201 of the IPC, the learned Judge could have invoked Section 319 Cr.P.C., before the judgment was pronounced and having failed to do so, these directions were unwarranted. They would further submit that the accused would have preferred an appeal now and if three witnesses whose evidence is relied on by the prosecution are made an accused on the basis of further investigation, it would jeopardise the prosecution case and would allow the guilty persons to go scot-free, as the evidence of these three witnesses has to be necessarily eschewed from consideration.

6.(i) The learned counsel for the petitioner in Crl.OP.(MD) No. 18844 of 2025, which was filed by PW82, aggrieved by the direction issued to the Director General of Police to suspend the petitioner till the completion of the further investigation would submit that the allegations



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do not suggest that the petitioner is involved in the offence under Section 201 of the IPC; and that if further investigation cannot be directed, the consequential direction given to the Director General of Police to suspend the petitioner till the completion of the further investigation also has to be set aside. He would further submit that the trial Judge has no inherent power to issue the direction for placing the petitioner under suspension. The trial Judge at best could have issued summons under Section 319 of the Cr.P.C., pending trial in which case, the petitioner would have had the opportunity to place the materials on his side to show that the prosecution is not justified. He would further submit that in ***Bikash Ranjan Rout vs. State*** reported in **2020(3) Crimes 267 (SC)**, the Hon'ble Supreme Court held that the learned Magistrate has no power to direct further investigation *suo motu* after the cognizance is taken and such a direction can be issued only at the instance of the investigating agency after cognizance is taken.

(ii) The learned counsel relied upon the judgment of the Hon'ble Supreme Court in ***State of West Bengal and others vs. Babu Chakraborty***, reported in **(2004) 12 SCC 201**, in support of the



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submission that where certain observations are made against the officers in respect of the discharge of their duties, the officer must be heard before such strictures are passed.

7. (i) Mr. N.Dilip Kumar, learned counsel appearing for the petitioner in Crl.OP.(MD) No.18738 of 2025, submitted that the petitioner [PW87] was appointed as the investigating officer pursuant to the directions issued by this court in WP (MD) No.5143 of 2019; that the petitioner had filed status reports before this Court on 19-10-2019 and 13-12-2019; that it was due to the effort of the petitioner that 84 witnesses were examined and crucial documents such as, the case sheets, medical records of the private hospital where the victim was originally admitted and the Government Hospital, were recovered; that the mobile phone SIM card used by the deceased and the call records relating to 15 mobile numbers were also seized and all those evidences helped the prosecution to prove the guilt of the accused in SC No.289 of 2021; that minor deficiencies or derelictions in duty, even assuming that the learned Judge was right in observing so, would not warrant departmental action against the petitioner.



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(ii) The learned counsel further submitted that the primary reasons for directing departmental action against the petitioner are that the petitioner had chosen not to arrest the accused till she handed over the investigation to the next investigating officer and the petitioner did not alter the offences in the FIR from 174 Cr.P.C., to either Section 304(ii) IPC or Section 302 IPC; and that these two reasons cannot be the basis for such a direction.

(iii) The learned counsel submitted that the power to arrest a person is discretionary and even assuming that the discretion was not exercised properly, departmental action is unwarranted. He would further submit that there is no allegation or complaint that the petitioner did not examine all the witnesses and the mere fact that the offences were not altered would not make the petitioner subject to any departmental action and he relied upon the following judgments of the Hon'ble Supreme Court in support of his submissions.

- (i) M.C.Abraham and Another vs. State of Maharashtra [(2003) 2 SCC 649];
- (ii) State of West Bengal vs. Mir Mohammad Omar and others [(2000) 8 SCC 382];

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- (iii) Siddharth vs. State of Uttarpradesh and Another [(2022) 1 SCC 676]; and
(iv) State of Maharashtra and other v. Tasneem Rizwan Siddiquee [(2018) 9 SCC 745].

8. (i) Mr.Henri Tiphagne, learned counsel appearing for the defacto complainant/PW1 would vehemently oppose the prayer in all the petitions and would submit that the State is not an aggrieved person in the present case; that the State by filing this petition to expunge the remarks has chosen to defend the police personnel and erring medical officers; that the trial Court after elaborately considering the evidence on record was justified in issuing the directions as the trial Court cannot be a mute spectator to any faulty investigation or dereliction of duty by the police officials who have a duty to protect the innocent citizens and bring the offenders to justice.

(ii) The learned counsel pointed out to the scathing observations made by this Court in WP (MD) No.5143 of 2019 against the police officials, who took away the life of a young boy and that those



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observations along with the evidence of the witnesses against whom action is directed to be taken would show that the impugned directions are justified.

(iii) The learned counsel would submit that the offence under Section 201 of the IPC is a distinct offence and the power of the Court to direct further investigation is not extinguished upon pronouncing the judgment.

(iv) The learned counsel relied upon the judgment of the Hon'ble Supreme Court in *Dayal Singh and others v. State of Uttarakhand*, reported in **(2012) 8 SCC 263**, in support of the submission that the post trial remarks/directions against investigating officers or medical officers, do not violate principles of natural justice, as they are necessary to protect the system's integrity. He also relied upon the judgment of this Court in *K. Muthupandi vs. State* [**Crl.OP.No.29048 of 2018 dated 05.08.2019**] in support of the submission that the trial Court is empowered to record adverse remarks regarding the conduct of an investigation officer and to recommend departmental action even before



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giving a separate pre-judgment hearing so long as the officer had participated in the trial proceedings and the observations form an integral part of the Court's reasoning. He would add that since the directions are only intended to initiate disciplinary proceedings, which would be initiated after following due process of law, the principles of natural justice are not violated.

(v) The learned counsel also relied upon the following judgments of the Hon'ble Supreme Court in support of the submission that the trial Courts, while discharging their solemn duty are empowered to issue directions to remedy the faults in the investigation and this Court, in exercise of the powers under Section 482 Cr.P.C., shall refrain from interfering in such directions to ensure purity, fairness and integrity of criminal justice process.

- (i) State of Gujarat v. Kishanbhai [(2014) 5 SCC 108];
- (ii) State v. Sundaraj (R.T.(MD) No.3 of 2018 and Crl.A.(MD) Nos.58 and 59 of 2019, dated 21.03.2019);
- (iii) D.K.Basu v. State of West Bengal (1997) 1 SCC 416;
- (iv) State of M.P. v. Shyamsunder Trivedi (1995) 4 SCC 262;
- (v) Jagjeet Singh v. Ashish Mishra, (2022) 9 SCC 321; and
- (vi) State of Punjab v. CBI (2011) 9 SCC 182.



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9. This Court has given its anxious consideration to the submissions made by the learned counsels on either side.

10.(i) The learned Judge, as stated above, had issued four directions to various authorities after holding the accused guilty of the aforesaid offences. The first direction against which the State is aggrieved and filed Crl.OP.(MD) No.17211 of 2025, is for a further investigation against the police officials, since according to the learned Judge, PW61, who was working as Sub-Inspector of Police (Crime), PW80, who was working as Sub-Inspector (Law and Order), and PW82-Arunachalam, who was working as Inspector (Law and Order) at SS Colony Police Station, Madurai, are guilty of the offence under Section 201 of the IPC r/w Sections 343 and 304(ii) of the IPC.

(ii). In the light of the submissions made on either side, without going into the question as to whether the above three persons are actually guilty of the offence under Section 201 of the IPC, this Court is inclined to examine whether the learned Judge was empowered to issue such a



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direction after the conclusion of the trial. In *Vinubhai's case* [cited supra], the Hon'ble Supreme Court had held that the trial Judge is not empowered to direct further investigation, after the charges are framed. The Hon'ble Supreme Court had also held that the learned Magistrates do not have inherent power under the Cr.P.C. The relevant observations are as follows:

“42. There is no good reason given by the Court in these decisions as to why a Magistrate’s powers to order further investigation would suddenly cease upon process being issued, and an accused appearing before the Magistrate, while concomitantly, the power of the police to further investigate the offence continues right till the stage the trial commences. Such a view would not accord with the earlier judgments of this Court, in particular, *Sakiri* (supra), *Samaj Parivartan Samudaya* (supra), *Vinay Tyagi* (supra), and *Hardeep Singh* (supra); *Hardeep Singh* (supra) having clearly held that a criminal trial does not begin after cognizance is taken, but only after charges are framed. What is not given any importance at all in the recent judgments of this Court is Article 21 of the Constitution and the fact that the Article demands no less than a fair and just investigation. To say that a fair and just investigation would lead to the conclusion that the police retain the power, subject, of course, to the Magistrate’s nod under Section 173(8) to further investigate an offence till charges are framed, but that the supervisory jurisdiction of the Magistrate suddenly ceases mid- way through the pre-trial proceedings, would amount to a



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travesty of justice, as certain cases may cry out for further investigation so that an innocent person is not wrongly arraigned as an accused or that a prima facie guilty person is not so left out. There is no warrant for such a narrow and restrictive view of the powers of the Magistrate, particularly when such powers are traceable to Section 156(3) read with Section 156(1), Section 2(h), and Section 173(8) of the CrPC, as has been noticed hereinabove, and would be available at all stages of the progress of a criminal case before the trial actually commences. It would also be in the interest of justice that this power be exercised suo motu by the Magistrate himself, depending on the facts of each case. Whether further investigation should or should not be ordered is within the discretion of the learned Magistrate who will exercise such discretion on the facts of each case and in accordance with law. If, for example, fresh facts come to light which would lead to inculcating or exculpating certain persons, arriving at the truth and doing substantial justice in a criminal case are more important than avoiding further delay being caused in concluding the criminal proceeding, as was held in *Hasanbhai Valibhai Qureshi (supra)*. Therefore, to the extent that the judgments in *Amrutbhai Shambubhai Patel (supra)*, *Athul Rao (supra)* and *Bikash Ranjan Rout (supra)* have held to the contrary, they stand overruled. Needless to add, [Randhir Singh Rana v. State \(Delhi Administration\)](#) (1997) 1 SCC 361 and *Reeta Nag v. State of West Bengal and Ors.* (2009) 9 SCC 129 also stand overruled.

43. We now come to certain other judgments that were cited before us. [King Emperor v. Khwaja Nazir Ahmad](#) AIR 1945 PC 18, was strongly relied upon by Shri Basant for the proposition that



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unlike superior Courts, Magistrates did not possess any inherent power under the CrPC. Since we have grounded the power of the Magistrate to order further investigation until charges are framed under Section 156(3) read with Section 173(8) of the CrPC, no question as to a Magistrate exercising any inherent power under the CrPC would arise in this case.”

The above observations would apply to Sessions Courts as well.

(iii) It is also seen that while issuing directions for further investigation, the learned Judge had concluded that the petitioners were responsible for disappearance of the evidences against the accused with an intention to screen them. If the learned Judge had on the basis of the evidence adduced before him was of the view that any person not being an accused has committed the offence for which such person should be tried together then, the learned Magistrate could have always summoned the said accused under Section 319 Cr.P.C. The learned Judge had not chosen to do so.

(iv) Even assuming that Section 201 of the IPC, is a distinct offence, the learned Judge ought to have seen that the consequences of making the three witnesses as accused would enure to the benefit of the



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accused whose appeal is stated to be pending, as the evidence of these three witnesses have to be eschewed from consideration. The three witnesses who are now sought to be prosecuted are vital witnesses for the prosecution and their depositions have been relied upon by the trial Court to convict the accused. If they are prosecuted for the offence under Section 201 of the IPC, they would become '*accessories after the fact*' and they become guilty along with the other accused. This would seriously jeopardise the prosecution case as against the convicted accused.

(v) Therefore, this Court is of the view that the State is justified in challenging the direction to file further report against the three officers for the alleged offence under Section 201 of the IPC. Hence, for all the aforesaid reasons, the impugned direction challenged in Crl.OP.(MD) No.17211 of 2025, in the interest of justice, has to be necessarily expunged and is accordingly expunged.

11. The second direction which is sought to be challenged in Crl.OP.(MD) No.18844 of 2025, is to the Director General of Police to



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suspend PW82 against whom further final report was directed to be filed till the conclusion of the final investigation. Since this Court had already held that further investigation may not be justified, the second direction also has to be expunged, as it is linked to the first direction.

12. (i) The third direction which is sought to be challenged in Crl.OP.(MD) No. 18738 of 2025 is issued as against the investigating officer PW87, as according to the learned trial Judge, the officer had deliberately failed to conduct the investigation diligently inspite of the directions issued by this Court in WP (D) No.5143 of 2019.

(ii) The learned Judge has cited two reasons for holding that PW87 deliberately attempted to protect the accused. The first is that even after the case was transferred to CBCID, where the petitioner was working as Superintendent of Police, the petitioner chose to register the FIR only for the offence under Section 174 Cr.P.C., and not for the offence under Section 304 (ii) or 302 of the IPC, as registration of the case under those two Sections, would have changed the complexion of the case. The second reason is that the petitioner had not chosen to arrest the accused,



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until she carried on the investigation and handed over the same to one Vijay Kumar, the then Superintendent of Police, who is no more.

(iii) Admittedly, the petitioner had taken over the investigation after this Court had transferred the investigation to CBCID vide orders in WP (MD) No.5143 of 2019. The petitioner had also filed status reports before this Court and the investigation was monitored by this Court for some time. Though it is the case of the respondent/defacto complainant that the status reports show that the investigation by the petitioner was lethargic, it is seen that the status reports were filed before this Court and this Court had not expressed any opinion on the status reports. In any case that was not the reason for the learned Judge to direct disciplinary action against the petitioner.

(iv) As seen from the record, the petitioner on the case being transferred had registered a case under Section 174 Cr.P.C. At that stage, the petitioner could not have assumed the commission of any offence, as admittedly, PW1 herself had made contrary statements, initially. In fact she had stated that she was not interested in pursuing the case. The cross-



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examination of PW1 would confirm those facts. In any case, this Court would not delve deep into those aspects as the appeal filed by the accused is pending before this Court.

(v) The question is whether the petitioner can be made to face the departmental action only because she had registered the case under Section 174 Cr.P.C. This Court is of the view that the said action of the petitioner cannot make her liable for departmental action.

(vi) Similarly, the discretion to arrest or not to arrest the accused is vested with the investigating officer. At that stage whether rightly or wrongly the offences were not altered to Section 304(ii) of the IPC and hence, the fact that the petitioner has not arrested the accused at that stage cannot make her liable for departmental action.

(vii) Be that as it may. In the judgments cited by the defacto complainant, it is no doubt true that the Hon'ble Supreme Court had held that where there is dereliction of duty, the trial Courts are justified in directing departmental action. There cannot be any quarrel with the said



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proposition of law. In fact, in ***Kishanbhai's case*** [cited supra] which was referred to by the learned counsel for the defacto complainant, the Hon'ble Supreme Court had directed action against the investigating officer, since the accused therein were acquitted and the investigating officers were responsible for such acquittal. In this case, the accused were convicted and the alleged dereliction of duty cannot be said to be deliberate.

(viii) In fact, as rightly pointed out by the learned counsel for the petitioner, the petitioner had examined 84 witnesses and collected crucial evidences such as the case sheets and medical records of the private hospital where the deceased was first taken for treatment and from the Government Hospital Madurai Rajaji Hospital and recovered the mobile phone SIM card used by the deceased, besides collecting the call records relating to 15 mobile numbers, which have been used by the prosecution to prove the guilt of the accused.

13. It is seen from the judgment that the trial Judge had taken considerable efforts to examine the evidence on record. He had adopted



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a pro-active approach, which cannot be faulted. However, on facts, this Court is not inclined to agree with the view taken by the learned Judge.

14. In the light of the decision taken by this Court on facts and since there cannot be any quarrel with the legal proposition advanced by the learned counsels on either, the judgments cited by them are not specifically referred to.

15. Hence, for all the aforesaid reasons, all the Criminal Original Petitions stand allowed and the directions issued by the trial Court, which are sought to be set aside, are set aside / expunged. Consequently, the connected Criminal Miscellaneous Petitions are closed.

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NCC : Yes / No
Index : Yes / No
Speaking/Non-speaking Order
Internet : Yes
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To
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1. The V Additional District and Sessions Judge,
Madurai, Madurai District.
2. The Superintendent of Police,
Crime Branch, CID (Camp),
South Zone, CBCID Headquarters,
(Old Commissioner of Police Campus,
Pantheon Road, Egmore, Chennai – 600 008
3. The Superintendent of Police,
CBCID Madurai, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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