



CrI.OP(MD)No.22042 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CrI.O.P.(MD).No.22042 of 2025

Maharaja

... Petitioner/ Father of the Deceased

Vs.

- 1.State of Tamil Nadu through,
The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Melur Sub Division,
Madurai District.
- 3.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
(Crime No.208 of 2025)

.... Respondent / Complainants

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the Respondent No.1 to withdraw the case in Crime No.208 of 2025 dated 17.08.2025 on the file of Respondent No.3 and entrust the same to any other investigation agency like



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Crime Branch – Crime investigation Department (CBCID), Madurai,
in accordance with law within the time stipulated by this Court.

*(Prayer amended vide Court order dated 16.12.2025
made in Crl. MP(MD)No.20141 of 2025 in Crl.O.P.
(MD)No.22042 of 2025)*

For Petitioner : Dr.R.Alagumani

For R-1 to R3 : Mr.M.Sakthi Kumar,
Government Advocate (Crl. side)

ORDER

Prologue:

Few crimes strike at the very conscience of a civilized society as violently as honour killings, where life is extinguished in the name of family pride or caste hierarchy. The Supreme Court has consistently held, most notably in ***Shakti Vahini v. Union of India***¹, that no individual, including parent, relative, or community group can interfere with the right of two adults to choose one another as life partners. Honour crimes are not merely murders, but they are assaults on constitutional morality, human dignity, and the fundamental freedoms enshrined under Articles 14, 15 and 21 of the Constitution of India.

¹(2018) 7 SCC 192



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2. The facts of this case reveal the brutal killing of a young man, Satish Kumar, shortly after threats issued by the family of his wife. They also expose serious lapses on the part of the Melur Police, who failed to provide protection despite being fully aware of the threats, and allowed the couple to leave the police station alone during night hours, only for the young man to be murdered shortly thereafter.

3. This Court is therefore compelled to examine whether the investigation ought to remain with the Melur Police, or whether the interests of justice require transfer to an independent agency.

Facts of the case:

4. The petitioner belongs to a backward community and has two sons, namely Muthukumar, married and living separately, and Satish Kumar, who had been working in Singapore since 2017.

5. On 18.07.2025, at about 6.00 p.m., six persons from the family of one Raghavi, wife of Satish Kumar arrived at the petitioner's residence, wrongfully restrained the petitioner and his wife, and



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threatened them, alleging that Satish Kumar had eloped with their daughter.

6. On 19.07.2025, Raghavi's mother lodged a missing complaint at Melur Police Station in Crime No.46 of 2025. The police traced both Satish and Raghavi. During the inquiry, Raghavi categorically stated that she had voluntarily gone with Satish and wished to live with him. Based on this, Crime No.46/2025 was closed.

7. Thereafter, the couple solemnised their marriage at a Murugan Temple near Viralimalai and began living together in Trichy.

8. On 12.08.2025, Raghavi's mother telephoned her requesting her to visit their home, claiming that they would accept her marriage. The couple went there and later returned. On 16.08.2025, Raghavi informed Satish that her father, grandfather, aunts, grandmother, and brother had threatened to kill them if they continued to live together. Satish approached the police seeking protection.



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9. An inquiry was conducted wherein Raghavi once again affirmed her wish to live with Satish. Despite repeated threats, the police merely obtained written statements and did not provide protection.

10. Around 10.00 p.m. on 16.08.2025, the Melur Police directed the couple to leave the station. When they were travelling on a two-wheeler (TN59 DX 8177) near Ayyapatti Bridge, the accused, Azhagar, Ayyanar and Arun Pandian, along with others pursued them in a TUV 300 (TN39 BT 4759), rammed their vehicle, and crushed Satish Kumar to death. Based on Raghavi's statement, the police registered Crime No.208 of 2025 for offences under Sections 191, 149, 93(1) of the BNS, 2023 (corresponding to Sections 147, 307, 302 IPC). Only three accused were arrested and the remaining accused persons are still absconding.

11. The petitioner alleges:

- (i) Failure to arrest all accused persons;
- (ii) Conduct of investigation in a biased and lethargic manner;



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(iii) Negligence in not providing protection despite explicit threats;

(iv) Allowing the couple to leave the police station late at night unprotected;

(v) Collusion with the accused and deliberate indifference.

12. A representation for transfer of investigation was made on 18.08.2025, but no action was taken.

Submissions:

13. The learned counsel for the petitioner contended that the case is a clear instance of honour killing, that the local police acted negligently and in collusion with the accused, and that only an independent agency like the CBCID can carry out a fair investigation.

14. The learned Government Advocate, Mr.M.Shakthi Kumar on the basis of the counter affidavit filed by the 3rd respondent and on the basis of the instructions submitted that on the date of alleged offence on 17.08.2025, the investigating officer arrested accused No. 5 and recorded his confession statement. Further on 18.08.2025



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accused Nos. 1 and 2 were arrested. Later, accused nos. 1 and 2 were released on bail by the order of this Court dated 23.10.2025 made in Crl.O.P.MD.No.17149 of 2025. Accused No.5 was also released on bail by the learned District and Sessions Court, vide order dated 03.11.2025 passed in Crl.M.P.No.5121 of 2025. Accused Nos. 6 to 8 have filed Anticipatory Bail before this Court in Crl.O.P. (MD)NO.21775 of 2025 and this Court by order dated 28.11.2025 directed the accused Nos.7 and 8 to appear before the respondent and cooperate for enquiry and also directed the respondent not to arrest them. On the basis of which, they appeared for enquiry on 11.12.2025. Further on the direction of the Superintendent Police, the 1st respondent has issued a lookout circular as against accused No.3. The 3rd respondent has conducted the investigation in a fair and proper manner in accordance with law. Hence, there is no purpose to transfer the investigation.

15. Heard the learned counsels on either side and carefully perused the materials available on record.



16. Issues for consideration:

- (i) Whether the facts disclose an honour killing?
- (ii) Whether the Melur Police acted negligently or in dereliction of duty?
- (iii) Whether the investigation requires transfer to the CBCID?

Analysis:

17. The sequence of events, particularly inter-caste marriage, continued opposition from the wife's family, repeated threats, and a targeted vehicular attack , clearly establishes the case as an honour killing.

18. In ***Shakti Vahini v. Union of India***¹, the Hon'ble Supreme Court declared that honour crimes represent a brazen violation of Articles 14 and 21, and that the State has a positive obligation to protect adult couples.

19. In ***Lata Singh v. State of U.P.***², it was held that harassment of consenting adult couples is illegal and punishable.

¹ (2018) 7 SCC 192

² (2006) 5 SCC 475



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20. In **Arumugam Servai v. State of Tamil Nadu**¹, the Hon'ble Supreme Court condemned caste-based interference in marital choices as “wholly illegal”.

21. The Melur Police, despite being aware of imminent danger, failed to provide protection, take preventive steps, control the hostile relatives, prevent threats made inside the police station itself, avoid sending the couple unescorted at night, arrest all accused promptly, and conduct a swift and impartial investigation.

22. These actions constitute *prima facie* dereliction of duty, warranting judicial intervention.

23. In **State of Punjab v. CBI**², the Hon'ble Supreme Court held that where public confidence in the local police is compromised, transfer of investigation is justified.

24. In cases of this nature involving caste-motivated offences, multiple accused, and allegations of police bias, only a specialised

¹ (2011) 6 SCC 405

²(2011) 9 SCC 182



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investigative wing like the CBCID can be entrusted with the investigation to ensure fairness and independence.

25. This Court is satisfied that the murder of Satish Kumar is a clear instance of honour killing. The Melur Police acted negligently and failed in their statutory duties. Continuation of investigation by the Melur Police will erode public confidence.

26. Accordingly, this Criminal Original Petition is allowed, and the following directions are issued:

(i) The investigation in Crime No.208 of 2025 on the file of the third respondent is withdrawn and transferred to the CBCID, Tamil Nadu, which shall take over the investigation forthwith.

(ii) The CBCID shall conduct the investigation independently, impartially, and expeditiously, securing the arrest of all remaining accused persons.



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(iii) The Superintendent of Police, Madurai District, shall ensure immediate transfer of case records, materials, and custody reports to the CBCID.

(iv) Adequate police protection shall be provided to Raghavi and the petitioner's family to ensure their safety.

(v) The CBCID shall file periodical progress reports before the jurisdictional Court.

16.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Sml

To

- 1.The Superintendent of Police,
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L.VICTORIA GOWRI, J.

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