



Crl.O.P(MD)No.21679 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.21679 of 2025

Kittu

... Petitioner

Vs.

- 1.The Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Melur Police Station,
Madurai District.
- 3.The Deputy Superintendent of Police,
CBCID,
Madurai District.
- 4.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
(Crime No.258/2025)

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the 1st respondent to transfer the investigation in Crime No.258 of 2025 from the file of the 4th respondent, Inspector of Police, Kottampatti Police Station to the file of the Deputy Superintendent of



Crl.O.P(MD)No.21679 of 2025

Police, CBCID Madurai District, for conducting a fair, proper and impartial investigation in accordance.

For Petitioner : Mr.M.Marimuthu

For Respondents : Mr.M.Sakthi Kumar,
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the 1st respondent to transfer the investigation in Crime No.258 of 2025 from the file of the 4th respondent to the file of the Deputy Superintendent of Police, CBCID Madurai District.

2. The learned counsel for the petitioner submitted that on 01.10.2025 at about 9:40 p.m, the petitioner's son Ganesh went out to buy food and medicine as the petitioner was suffering from severe fever. At about 10.40 p.m., the petitioner's elder son Suresh while returning home on Madurai – Trichy Main road, saw a crowd near Sethu Mahal. On enquiring at that place, it was found that the petitioner's son Ganesh had met with a severe accident and had died on the spot after being hit by an unknown white Benz car which came from South to North direction in a rash and negligent manner without



Crl.O.P(MD)No.21679 of 2025

stopping. Immediately, the petitioner and his wife had engaged a private ambulance to Government Hospital at Melur. However, he was declared dead. Following which, F.I.R has been registered in Crime No.258 of 2025 on the file of the Kottampatti police station under Sections 281 and 106(1) of BNS against unknown persons. He further submits the said Benz car bearing Registration No.TN 09 CM 5555 was driven by the son of the owner namely Raavanan @ Ram. Since there is no progress in the investigation, this petition.

3. This Court required the 3rd respondent, Deputy Superintendent of Police to file a counter affidavit before this Court. On this day, i.e., 08.12.2025, the 3rd respondent has filed the counter affidavit.

4. The learned Government Advocate (Crl.Side) submitted that the 3rd respondent had conducted an inquiry in detail and had found that on 14.10.2025, one accused Elamaran who is the driver of the said vehicle voluntarily surrendered before the 4th respondent police station and was arrested and subsequently released on station bail and the



Crl.O.P(MD)No.21679 of 2025

petitioner's contention that it was driven by one Raavanan @ Ram who do not have any substance or iota of truth in the event of the accused himself had voluntarily surrendering. In the background, the owner of the vehicle himself had given a statement that the said Elamaran had been the driver of the vehicle for the past 10 years. The investigation has been properly done by the Inspector of police and there is no need for transferring the same. The final report is yet to be filed.

5. In view of the above submissions, this Court directs the 2nd respondent to continue monitoring the case and the 4th respondent to file a charge sheet within a period of two (2) weeks from today i.e., 08.12.2025.

6. With the above directions, this Criminal Original Petition is disposed of.

08.12.2025

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



Crl.O.P(MD)No.21679 of 2025

To

- 1.The Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Melur Police Station,
Madurai District.
- 3.The Deputy Superintendent of Police,
CBCID,
Madurai District.
- 4.The Inspector of Police,
Kottampatti Police Station,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.21679 of 2025

L.VICTORIA GOWRI, J.

gbg

Crl.O.P(MD)No.21679 of 2025

08.12.2025