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CRL OP No.7031 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No.7031 of 2026

Sumathi

..Petitioner(s)

Vs

1. The State Rep. by
The Commissioner of Police,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
J-2, Adyar Police Station,
Adyar, Chennai - 600 020.

..Respondent(s)

PRAYER: This Criminal Original Petition is filed under Section 528 of BNSS to direct the 1st respondent to transfer the entire case records in Crime No.83 of 2025 dated 13.10.2025 from the 2nd respondent, J-2 Adyar Police Station, Adyar, Chennai - 600 020 to Central Crime Branch (CID), Chennai or proper direction may be ordered by this Court to CBI, Chennai to investigate properly and to file final report to the appropriate Criminal Court having jurisdiction to try the case.

For Petitioner:

Mr.K.Venkatesan

For Respondents:

Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor



ORDER

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This Criminal Original Petition has been filed seeking a direction to the 1st respondent to transfer the entire case records in Crime No. 83 of 2025, dated 13.10.2025, from the 2nd respondent, J-2 Adyar Police Station, Adyar, Chennai – 600 020, to the Central Crime Branch (CID), Chennai, or in the alternative, to direct investigation by the CBI, Chennai, and to file a final report before the competent Criminal Court having jurisdiction.

2. The petitioner, who is the wife of the deceased Gunasekaran, lodged a complaint on 13.10.2025 stating that on the said day at about 11.30 a.m., she and her husband were travelling in their car bearing Registration No. TN 07 CW 3020 (Mahindra XUV300). After visiting various places, at about 1.30 p.m., she alighted from the car near 1st Avenue, Indian Oil Petrol Bunk, Adyar. At that time, her husband informed her that he had some work at the CMDA Office. It is further stated that two persons, namely Kathiravan and Ayyanar, got into the car with her husband. Thereafter, at about 3.38 p.m., when the petitioner contacted her husband over phone, he informed her that he was at the CMDA Office. It is alleged that at about 4.45 p.m., when the deceased had parked the vehicle near the petrol bunk, unknown persons attacked and murdered him. A case was registered under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023. According to the petitioner, no effective action has been taken thereafter.



3. The learned Additional Public Prosecutor submitted that, based on the petitioner's complaint, a case was registered and investigation was duly conducted. During the course of investigation, materials including CCTV footage from the vicinity of the petrol bunk were collected, the assailants were identified, and a Test Identification Parade was conducted. Nine persons have been arrayed as accused, namely, Suresh @ Kutty (A1), Vignesh @ Bingo (A2), Arunkumar @ Box (A3), Saran @ Kalaiyarasan (A4), Vignesh @ Tharamani Vikki (A5), Gokul (A6), Arul (A7), Dhanush (A8), and Madhankumar (A9). It is further submitted that the investigation has been completed and a charge sheet has been filed before the learned IX Metropolitan Magistrate, Saidapet, on 20.01.2026 by way of e-filing in LTN No. 20230002423C202600002, and the same is yet to be taken on file and assigned a PRC number.

4. The grievance of the petitioner is that the real conspirators behind the occurrence have not been arrayed as accused. It is contended that she was not properly examined during investigation and that relevant details were not collected. The petitioner further submits that the persons, Kathiravan and Ayyanar, who were allegedly last seen accompanying the deceased, have not been shown as accused.

5. In response, the learned Additional Public Prosecutor submitted that Kathiravan and Ayyanar were not identified during the Test Identification Parade and have therefore been cited as witnesses. It is further submitted that if



the petitioner possesses any material indicating involvement of other persons or pointing out laxity in investigation, she is at liberty to submit a representation to the respondent police seeking further investigation. The petitioner may also raise her objections before the Committal Court.

6. It is further observed that the petitioner, being the defacto complainant and victim, is entitled to a copy of the charge sheet. The respondent police are directed to furnish a copy of the charge sheet to the petitioner. Upon receipt of the same, if the petitioner has any grievance regarding the manner of investigation, she is at liberty to submit a representation to the 2nd respondent seeking further investigation and also to file appropriate objections before the committal Court. The learned IX Metropolitan Magistrate, Saidapet, is directed to take the e-filed charge sheet in LTN No. 20230002423C202600002 on 20.01.2026 in SR. No.817 of 2026 dated 21.01.2026, on file forthwith, if it is in order assign a PRC number, and commit the case to the Court of Sessions without undue delay.

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

23-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
RKP



To

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Vepery, Chennai - 600 007.
2. The Inspector of Police,
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Adyar, Chennai - 600 020.
3. The Inspector,
Central Crime Branch (CID),
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M.NIRMAL KUMAR, J.
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