



CRL OP No.10078 of 2026

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No.10078 of 2026

Hariharan

..Petitioner(s)

Vs

1. The Commissioner of Police,
Commissioner of Police Office,
Vepery, Chennai - 600 007.
2. The Inspector of Police,
Kilpauk Police Station,
Chennai - 600 010.
3. The Inspector of Police,
CBCID, Chennai.

..Respondent(s)

PRAYER: This Criminal Original Petition is filed under Section 528 of BNSS 2023, to direct the 1st respondent herein to transfer investigation from the 2nd respondent herein to CBCID Police, Chennai or to some other agency in Crime No.44 of 2026 on the file of the Inspector of Police, Kilpauk, Chennai.



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For Petitioner(s):

Mr.A.Ramesh

For Respondent(s):

Mr. LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PP FOR R1 & R2

ORDER

The Criminal Original Petition has been filed to direct the 1st respondent to transfer the investigation from the 2nd respondent to the CBCID Police, Chennai, or to any other agency, in Crime No. 44 of 2026 on the file of the Inspector of Police, Kilpauk, Chennai.

2. The petitioner is the father of one Hari Prasath, a 16-year-old boy, who allegedly died due to surgical complications arising from a procedure conducted by Dr. Ranjith Singh at Murugan Multi-Speciality Hospital, Kilpauk, Chennai. Prior to the surgery, the petitioner had reconfirmed with the said doctor regarding the seriousness and possible complications of the operation. The said Dr. Ranjith Singh had assured that the heart valve replacement surgery was not complicated and could be performed without any health risk. Relying on the said assurance, the petitioner consented to the operation. It is stated that the surgery was conducted on 01.03.2026, and thereafter, the petitioner's son remained unconscious until 04.03.2026, on which date he passed away.



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Suspecting that the death was due to medical negligence, the petitioner lodged a complaint. Though an FIR was registered, it is alleged that the police have not conducted a proper investigation.

3. The learned Additional Public Prosecutor submitted that immediately after the registration of the FIR, the police visited the hospital, took custody of the body, and conducted an inquest in the presence of panchayatdars. Thereafter, the body was sent to Kilpauk Medical College Hospital, where a post-mortem was conducted. The Post-Mortem Report in P.M. No. 592 of 2026 has been collected. It is further submitted that the FIR, case history, educational qualifications of Dr. Ranjith Singh, death report issued by Murugan Hospital, and the post-mortem certificate have been forwarded along with a questionnaire to the Director of Medical Services, Kilpauk, Chennai. Upon receipt of the expert opinion, further investigation will be conducted in accordance with the guidelines laid down by the Hon'ble Supreme Court in ***Jacob Mathew v. State of Punjab***, reported in ***AIR 2005 SUPREME COURT 3180***, concerning cases of medical negligence.

4. Today, the post-mortem certificate has been handed over to the learned counsel for the petitioner. Considering that the investigation is, as on date,



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M.NIRMAL KUMAR, J.

proceeding in the proper direction, and in view of the submissions made, this Court finds no reason to interfere with the same.

5. Recording the above, this Criminal Original Petition is **dismissed**.

21.04.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RKP

To

1. The Commissioner of Police,
Commissioner of Police Office,
Vepery, Chennai - 600 007.

2. The Inspector of Police,
Kilpauk Police Station,
Chennai - 600 010.

3. The Inspector of Police,
CBCID, Chennai.

4. The Public Prosecutor,
Madras High Court, Madras.

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