



Crl.O.P.(MD)No.3507 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.02.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.3507 of 2026

1.Murugeshwari
2.M.Pandi
3.M.Pechimuthu

... Petitioners

Vs.

1. Superintendent of Police,
Virudhunagar District.

2. Inspector of Police,
Town Police Station,
Srivilliputhur.

3. Sub Inspector of Police,
Srivilliputhur Police Station,
Virudhunagar District.

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to issue proper directions to R1 to R3 to secure the ends of justice and to prevent abuse of the process of law, which squarely applies to the facts of the present case.

For Petitioners : Mr.R.Murugaboopathy

For Respondents : Mr.M.Sakthi Kumar

Government Advocate



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ORDER

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The petitioners seek for a direction to the respondents to secure the ends of justice and to prevent abuse of the process of law, which squarely applies to the facts of the present case.

2. The learned counsel for the petitioners submitted that the first petitioner is the wife of one Muthu, aged about 74 years (since deceased), and the second and third petitioners are their sons. The said Muthu met with an accident on 24.07.2024, at about 02:30 a.m. near Krishnapuram Junction, Srivilliputhur District, when he was hit by a vehicle bearing Registration No. TN 63 BR 0007, which was allegedly driven in a rash and negligent manner. Pursuant thereto, he sustained multiple injuries and was admitted to the Government Hospital at Srivilliputhur. Thereafter, he was referred to the Government Hospital at Virudhunagar, where he subsequently passed away on 05.08.2024. In this regard, a complaint was duly lodged by the petitioners on the date of the accident. However, no FIR has been registered by the respondent police. Even after his death, without duly considering the grievous injuries sustained by the deceased, no proper steps have been taken by the respondent police to register a case. Hence, this petition has been filed seeking the aforesaid relief.



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3. The learned Government Advocate appearing for the respondent police submitted that on 24.07.2024, the husband of the first petitioner met with an accident, and upon receiving such information, the respondent police rushed to the hospital to record his statement. However, he gave a written statement stating that they were not willing to lodge a complaint before the respondent police. They also did not inform the police about his subsequent death. However, after a lapse of two years, they have approached this Court seeking the aforesaid relief.

4. Heard the learned counsel on either side and carefully perused the materials placed before this Court.

5. In view of the submission made by the learned Government Advocate that no complaint was received in this regard, the claim of the petitioners that no proper FIR was registered immediately on the date of the accident is not sustainable. Upon receiving information from the Government Hospital, the respondent police rushed to the hospital, where the deceased himself gave a statement that he was not willing to lodge any complaint. This fact is substantiated by the learned Government Advocate, relying upon the statement



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given by the deceased to the second respondent police, which has been placed before this Court by the petitioners' counsel himself.

6. In view of the aforesaid observations, this Criminal Original Petition is dismissed.

19.02.2026

NCC : Yes / No
Index : Yes / No
Sm



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TO:-

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1. Superintendent of Police,
Virudhunagar District.
2. Inspector of Police,
Town Police Station,
Srivilliputhur.
3. Sub Inspector of Police,
Srivilliputhur Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

Sm

Order made in
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