



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5779 of 2026

Vidhya Selvaraj

...Petitioner/Defacto Complainant

Vs

1. The Superintendent of Police,
Superintendent of Police Office,
Puthen Bungalow Road,
Nagercoil,
Kanyakumari,
Tamil Nadu – 629 001.

2. The Special Sub Inspector of Police,
No. 2822, Kanyakumari Police Station,
Main Road,
Kanyakumari,
Tamil Nadu – 629 702,
Crime No. 56 of 2026.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to direct the respondent police to alter the FIR No.56 of 2026 dt. 19.02.2026 against the accused by correct invocation of Section 184 of MV Act, Section 109(1) of BNS and Section 125(b) instead of Section 125(a) of BNSS and pass any other orders.



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For Petitioner : M/s.R.Prabhakaran
For Respondents : Mr.A.Albert James
Government Advocate(crl.side)

ORDER

The present petition has been filed under Section 528 of BNSS, seeking a direction to the respondent police to alter the Section in crime No.56 of 2026, dated 19.02.2026, as against the accused persons by correct invocation of Section 184 of Motor Vehicles Act, r/w Section 109(1) of BNS and Section 125(b) instead of 125(a) of BNS and pass any other orders.

2. Considering the fact that the investigation is still pending, this Court cannot issue any positive direction to the respondent police to invoke any particular Section. It is for the investigating agency to arrive at a conclusion whether a particular offence is made out or not.

3. With the above said observations, this Criminal Original Petition stands disposed of.

24.03.2026

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



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To

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Superintendent of Police Office,
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Tamil Nadu – 629 001.

2. The Special Sub Inspector of Police,
No. 2822, Kanyakumari Police Station,
Main Road,
Kanyakumari,
Tamil Nadu – 629 702.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

RJR

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