



Crl.OP.(MD)No.7606 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2026

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP.(MD)No.7606 of 2026

U.Raja

... Petitioner

Vs

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Deputy Superintendent of Police,
Manamadurai Police Station,
Sivagangai District.

3.The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
(Crime No.39 of 2026)

4.The Deputy Superintendent of Police,
Sivagangai Sub-Division,
Sivagangai District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to direct the 1st respondent to transfer the investigation in Crime No.39 of 2026 from the file of 2nd respondent to the 4th respondent or some other fair agency and file the final report before appropriate Court.



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For Petitioner : Mr.A.Vadivel
For Respondents : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

ORDER

The petitioner has approached this Court seeking transfer of investigation in Crime No.39 of 2026 from the file of the second respondent to the fourth respondent or to any other competent and independent agency, and to file the final report before the jurisdictional Court.

2. According to the petitioner, his parents had earlier lodged several complaints against the accused party from the year 2023 to 2025 on account of disputes between the parties. However, no effective action was taken by the respondent police. Thereafter, on 13.03.2026 at about 02.00 p.m., an occurrence took place, pursuant to which the petitioner's mother died. The petitioner, therefore, entertains an apprehension that, if the investigation is continued by the respondent police, it would not be conducted in a fair and proper manner.

3. The learned Additional Public Prosecutor would submit that the dispute between the parties is civil in nature. He would further submit that, on the complaint given by the petitioner's mother, a case had been registered earlier. However, the petitioner's mother subsequently died on 20.03.2026 at about 02.00 a.m., and according to the medical records, the death was not due to any



injuries but due to heart attack. He would also submit that, on the complaint of the petitioner, a case has been registered by the third respondent police as a suspicious death under Section 194(3) of the BNSS and subsequently altered into Section 194 of the BNSS, Sections 329(3), 296(b), 115(2), 74 and 351(3) of the BNS, and Sections 3(1)(r) and 3(1)(s) of the SC/ST (Prevention of Atrocities) Act, 2015, and the same is under investigation. The learned Additional Public Prosecutor would also submit that the postmortem report indicates that the death was due to heart attack, and that further course of action will be taken based on the final medical opinion, including the viscera report.

4. This Court has considered the rival submissions made on either side and perused the materials placed on record.

5. A perusal of the records reveal that the petitioner seeks transfer of investigation on the apprehension that the respondent police have not properly registered or are not properly investigating the case. However, the materials placed before this Court, including the postmortem report, *prima facie* indicate that the death was due to a heart attack.

6. In view of the above, this Court is not inclined to transfer the investigation at this stage. However, the Superintendent of Police concerned is



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directed to monitor the investigation to ensure that the same is conducted in a fair and proper manner. The respondent police are also directed to furnish a copy of the postmortem certificate and the viscera report to the petitioner to enable him to understand the case.

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

20.04.2026

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

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To

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Manamadurai Police Station,
Sivagangai District.
- 3.The Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
(Crime No.39 of 2026)
- 4.The Deputy Superintendent of Police,
Sivagangai Sub-Division,
Sivagangai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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