



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.NO.5787 OF 2022

P.Kannan

... Petitioner

Vs.

1. The Director General of Police,
Tamil Nadu,
Office of the District General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.
2. The District Collector,
Kanchipuram District,
Collectorate,
Kanchipuram 631 501.
3. The Superintendent of Police,
Kanchipuram District,
Collectorate,
Kanchipuram 631 501
4. The Inspector of Police,
Vishnu Kanchi Police Station,
Kanchipuram 631 501
Kanchipuram District.
5. The Inspector of Police,
CBCID,
Kanchipuram District,
Collectorate, Kanchipuram 631 501.
6. Thiru Sekar,
S/o Parthasarathy

... Respondents

PRAYER: Writ Petition filed under Section 226 of Constitution of India, to issue a Writ of Mandamus to direct the 3rd respondent to consider the petitioner's representation dated 04.03.2022 for the 4th respondent's refusal to receive the petitioner's



complaint to take action against the murderers of the petitioner's son K.Sasikumar and to alter the First Information Report lodged in Cr.No.233 of 2022 under Section 174 Cr.P.C to section 302 IPC and to transfer the investigation from the Vishnu Kanchi Police Station, Kanchipuram to the Inspector of Police, CBCID, Kanchipuram District and to provide police protection to the petitioner's family.

For Petitioner : Mr.R.Anbalagan

For Respondents : Mr.A.Gokulakrishnan
for R1 to R5
Additional Public Prosecutor
No appearance for R6

O R D E R

The Writ Petition has been filed to direct the 3rd respondent to consider the petitioner's representation dated 04.03.2022 filed for refusal of the 4th respondent to receive the petitioner's complaint and to take action against the murderers of the petitioner's son K.Sasikumar and to alter the First Information Report lodged in Cr.No.233 of 2022 under Section 174 Cr.P.C to section 302 IPC and to transfer the investigation from the Vishnu Kanchi Police Station, Kanchipuram to the Inspector of Police, CB-CID, Kanchipuram District and to provide police protection to the petitioner's family.

2.The learned counsel appearing for the petitioner would submit that the petitioner's elder son Sasikumar was aged about 35 years and working as a Weaver in "Thari Pattarai" of the 6th respondent's house at Jeeyar Narayanapalayam Street, Kanchipuram. The 6th respondent has not allowed the petitioner's son to visit his house for the past three months and when the petitioner had enquired the 6th respondent, he was informed by the 6th respondent that he has questioned his son for missing of "jari" for sarees and taking steps to trace his son. While so, on 28.02.2022, at about 08.30 a.m., the petitioner was informed by the 6th respondent that his son died due to hanging in his "Thari Pattarai". When the petitioner has seen the body, his feet were touching in the ground in a standing manner. The learned counsel would further submit that somebody would have assaulted his son and hanged him by a saree. He would further submit that the entire "Thari Pattarai" is covered by CCTV for watching the workers and that the footage of CCTV is required for ascertaining the entire truth. Immediately, the petitioner has given a complaint to the respondents Police, whereas, the respondents without registering a case for offence under Section



302 IPC, had registered the case under Section 174 Cr.P.C. Since the petitioner is not satisfied with the investigation done by the 4th respondent Police, the present petition has been filed seeking to transfer the investigation.

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3.The learned Additional Public Prosecutor appearing for the respondents 1 to 5 would submit that based on the complaint given by the petitioner, suspecting the death of his son, a case was registered in Crime No.233 of 2022 under Section 174 Cr.P.C. The post-mortem was conducted on 01.03.2022. As per the post-mortem report, the Doctor has given an opinion that the deceased would appear to have died of 'asphyxia' due to ante-mortem hanging. However, the 4th respondent is duly conducting the enquiry and is taking steps to find out as to whether any CCTV cameras are available in the place of occurrence. He would further submit that the 4th respondent is conducting the investigation in a fair manner.

4.At this juncture, the learned counsel for the petitioner would submit that, in such circumstances, a direction may be issued to the jurisdictional Deputy Superintendent of Police, to monitor the investigation done by the 4th respondent.

5.In view of the same, the Writ Petition stands disposed of, with a direction to the Deputy Superintendent of Police, Kanchipuram, to monitor the investigation done by the 4th respondent in Crime No.233 of 2022. The 4th respondent shall complete the investigation and file a final report as expeditiously as possible, preferably within a period of four months from today. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

vkr

To

1. The Director General of Police,
Tamil Nadu,
Office of the District General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.



2. The District Collector,
Kanchipuram District,
Collectorate,
Kanchipuram 631 501.

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3. The Superintendent of Police,
Kanchipuram District,
Collectorate,
Kanchipuram 631 501

4. The Inspector of Police,
Vishnu Kanchi Police Station,
Kanchipuram 631 501
Kanchipuram District.

5. The Inspector of Police,
CBCID,
Kanchipuram District,
Collectorate, Kanchipuram 631 501.

6. The Public Prosecutor,
High Court of Madras.

Copy To

The Deputy Superintendent of Police,
Kanchipuram.

+1cc to Mr.R.Anbalagan, Advocate, S.R.No.17317

W.P.No.5787 of 2022

PMK (CO)
RLP (25/03/2022)