



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22382 of 2023

Abhishek Agarwal

... Petitioner

-VS-

State Rep by
The Inspector of Police,
Maraimalai Nagar Police Station.

...Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the respondent to file a final report in Crime No.225 of 2022 on the file of the Inspector of Police, Maraimalai Nagar Police Station, Chengalpattu.

For Petitioner : Mr.Ramesh Kumar G.Chopda

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

ORDER

On 05.05.2022, one Sanskar Agarwal, aged 21 years, II year student of B.Tech (Computer Science) at SRM College, Kattankolathur, Potheri,



Chengalpet District was found dead hanging himself in his room. The matter was informed to the Maraimalai Nagar Police by the hostel warden and a case in FIR No.225 of 2022 was registered under Section 174 of Cr.P.C. On complaint of investigation, the police has filed a closure report on 06.12.2022.

2. The brother of the deceased who hails from Chattisgarh, filed a protest petition before the learned Judicial Magistrate No.II, Chengalpet alleging that there is a suspicious in the death of his brother and foul play in the investigation. Certain documents which supports the suspicion were also placed before the trial Court. On considering the materials, the learned Judicial Magistrate No.II, Chengalpattu was directed the Inspector of Police/Investigation Officer, Maraimalai Nagar to receive the petition mentioned documents and to proceed further investigation pertaining to Crime No.225 of 2023 in a fair manner and file a detail report regarding the result of the investigation as early as possible.

3. This order was passed on 22.05.2023. Since there was no progress and action taken by the respondent police pursuant to the order passed by the learned Judicial Magistrate No.II, Chengalpattu (FAC), brother of the victim has



filed Criminal Original Petition under Section 482 of Cr.P.C to direct the respondent police to complete the investigation and file final report.

4. When the matter came up for hearing on 03.10.2023, learned Government Advocate sought time to get instructions before this Court. Accordingly, the matter was adjourned and taken up for consideration today. Learned Government Advocate submitted that on 04.10.2023, the Investigation Officer has closed the complaint and reported to the learned Judicial Magistrate No.II, Chengalpattu about the closure of the complaint. The inaction on the part of the Inspector of Police, Maraimalai Nagar Police Station inspite of the direction by the learned Judicial Magistrate No.II, Chengalpattu (FAC) and hurriedly sending the closure report after the matter taken by this Court clearly shows the insubordination and disrespect to the order of the Court by the Inspector attached to the Maraimalai Nagar Police Station.

5. Therefore, there is no purpose in allowing the Maraimalai Nagar Inspector to continue the investigation of this case. Hence, the Commissioner of Tambaram shall withdraw the investigation from Maraimalai Nagar Police



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Station and transfer the investigation to CBCID. On such transfer, the investigation shall be conducted and final report will be filed within a period of 90 days before the Court below.

6. With the above direction, this Original Petition is hereby disposed of.

09.10.2023

Internet : Yes/No

Index : Yes/No

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To

1.The Judicial Magistrate No.II, Chengalpet.

2. The Inspector of Police,
Maraimalai Nagar Police Station.

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

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