



WP.No.23028of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

WP.No.23028 of 2024

and

WMP.No.25110 of 2024

M.Jagan

... Petitioner

Vs.

1. The Additional Chief Secretary,
Office of the Secretariat,
St.George Fort,
Chennai-600 009.
2. The Home Secretary,
Office of the Home Secretary,
Govt. of Tamilnadu,
Secretariat, St.George Fort,
Chennai-600 009.
3. The Director General of Police,
Office of the Director General of Police,
Head of Police Force,
Government of Tamilnadu,
Dr.Radhakrishnan Salai, Mylapore,
Chennai-600 004.
4. The District Collector,
Office of the District Collector,
Singaravelar Maligai,
Rajaji Salai, George Town,
Chennai-600 001.



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5. The Dean,
Royapettah General Hospital,
Royapettah, Chennai-600 014.
6. The Dean,
ESI Hospital, K.K.Nagar,
Chennai-600 078.
7. The Commissioner of Police,
Greater Chennai Police,
EVK Sampath Salai,
Egmore, Chennai-600 008.
8. The Joint Commissioner of Police West Zone,
Thirumangalam, Chennai-600 040.
9. Deputy Commissioner of Police Maduravoyal
Koyambedu, Poonamalle High Road,
Maduravoyal, Chennai-600 095.
10. The Assistant Commissioner of Police,
Seeirkuppam Road,
Devikarumariamman Nagar,
Valasarawakkam,
Chennai-600 087.
11. The Inspector of Police,
R-11, Royala Nagar Police Station,
Ramapuram, Chennai-600 083.
12. Manikandan @ Mani. ... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the 4th respondent to consider the representation dated 02.08.2024, conducting an enquiry by the concerned executive Magistrate.



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For Petitioner : Mr.R.Sankara Subbu
for M.Anantha Raj

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate (Crl.Side)

ORDER

The petitioner seeking direction to the 4th respondent to consider his representation dated 02.08.2024.

2. The petitioner is the father of the deceased Shreesha who died on 31.07.2024 in a suspicious circumstances. Alleging that one Manikandan @ Mani, College mate of Shreesha was caused for death. The representation sent by the petitioner herein on 02.08.2024.

3. The learned Government Advocate (Crl.Side) submits that on registering the complaint initially under Section 174 of Cr.P.C on receiving the complaint about the suspicious death, FIR was registered. The post-mortem of the deceased was conducted at ESI Hospital. Suspected Manikandan @ Mani has been arrested on 01.08.2024 and remanded to judicial custody. The charge has been altered into Section 306 of IPC/ 108 of BNSS, 2023.



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4. The learned counsel for the petitioner submits that the death is not suicide, but homicide. Therefore, the charge should be altered and proper enquiry must be conducted.

5. The learned Government Advocate (Crl.Side) submits that with the available material so far collected, charge been altered and one of the suspected already been arrested. If there is any other material collected in the course of investigation, appropriate action will be taken.

6. As far as the post-mortem is concerned, the learned Government Advocate (Crl.Side) submits that it has been duly conducted under the supervision of the Doctor at ESI Hospital and same has been photographed. He further submits that based on the details collected during the enquiry, proper action will be taken.

7. Recording the same, this Court holds that the representation of the petitioner dated 02.08.2024 has substantially complied with and the learned Government Advocate assures that if any fresh evidence or material collected in the course of the investigation, necessary action will be taken by the respondent police in accordance with law.



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8. In view of the above, this Writ Petition is disposed of. No order as to costs. Consequently, the connected miscellaneous petition is closed.

08.08.2024

Vv

To

1. The Superintendent of Police,
Kallakurichi.
2. The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.
3. The Sub-Inspector of Police,
Kilkuppam Police Station,
Kallakurichi District.
4. The Tahsildar,
Chinnasalem Taluk,
Kallakurichi District.



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Dr.G.JAYACHANDRAN,J.

Vv

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