



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

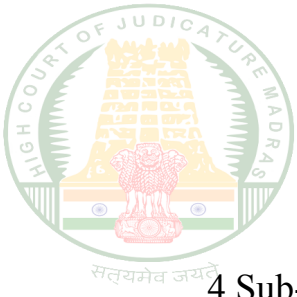
W.P.No.1152 of 2025

M/s.The New India Assurance Co. Ltd.,
Having its registered office at,
Bombay Mutual Building,
6th Floor, 232, NSC Bose Road,
Chennai – 600 002.

... Petitioner

Vs.

- 1.The Superintendent of Police,
O/o. The Superintendent of Police
Kancheepuram,
Collectorate Compound,
Thaiyar Kullam, Kancheepuram,
Vandavasi Road,
Kancheepuram District,
Tamil Nadu – 631 501.
- 2.The Deputy Superintendent of Police,
Kunnam, Sriperumbudur, Kanchipuram
SH-57, Singaperumal Koil,
Sriperumbudur Road,
Kanchipuram, Tamil Nadu – 631 604.
- 3.The Inspector of Police,
C-1, Police Station, Govinda Mettu Street,
Katchipedu, Sriperambudur,
Kanchipuram District.



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4.Sub-Inspector of Police,
C-1, Police Station, Govinda Mettu Street,
Katchipedu, Sriperumbudur,
Kanchipuram District.

5.The Deputy Inspector General of Police,
No.7/9, Varadaraja Pannai,
Vandavasi Road, Sevilimedu, Kanchipuram,
Tamil Nadu – 631 502.

6.Pushkar Insulation & Packaging Private Limited,
Represented by its Director Mr.Amitkumar Agarwal,
Having its registered office at,
Survey No.79/2, Pondur Village,
Sriperumbudur Taluk, Kancheepuram District,
Sriperumbudur, Tamil Nadu – 602 105.

..Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to expedite further investigate/re-investigate/and take necessary action in Complaint No.1572 of 2024 dated 07.10.2024 which was lodged before the Superintendent of Police, Kancheepuram District seeking to re-investigate the case in FIR No.131 of 2021 dated 19.02.2021 lodged by M/s.Pushkar Insulation & Packaging Private Limited, represented by its Director Mr.AMitkumar Agarwal, for the alleged fire occurred on 16.12.2020, and to direct the 1st respondent to conduct a free and fair investigation into the complaint given by the Petitioner dated 07.10.2024 by considering the fresh materials provided therewith, and for consequential orders.



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For R1 to R5 : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This petition has been filed for a direction to direct the respondent for expediting the further investigation on the Complaint No.1572 of 2024 dated 07.10.2024 which was lodged before the Superintendent of Police, Kancheepuram District seeking to re-investigate the case in FIR No.131 of 2021 dated 19.02.2021 lodged by M/s.Pushkar Insulation & Packaging Private Limited, represented by its Director Mr.AMitkumar Agarwal, for the alleged fire occurred on 16.12.2020, and to direct the 1st respondent to conduct a free and fair investigation into the complaint given by the Petitioner dated 07.10.2024 by considering the fresh materials provided therewith.

2. On instructions, the learned Government Advocate (Crl.Side) submitted that on a complaint lodged by the sixth respondent registering the FIR in Crime No.131 of 2021 dated 19.02.2021. After investigation, the said complaint was closed as mistake of fact on 25.10.2021 and RCS notice was also served on the complainant on 25.10.2021, the closure report was filed before the Judicial Magistrate, Sriperumbudur, while being so, the complaint was filed by the petitioner



on 07.10.2024 before the first respondent herein to re-investigate the case

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3. In view of the above, the directions sought for in the writ petition cannot be considered. Accordingly, this Writ Petition is dismissed. No costs.

19.02.2025

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order

rkp

To

- 1.The Superintendent of Police,
O/o. The Superintendent of Police
Kancheepuram,
Collectorate Compound,
Thaiyar Kullam, Kancheepuram,
Vandavasi Road,
Kancheepuram District,
Tamil Nadu – 631 501.
- 2.The Deputy Superintendent of Police,
Kunnam, Sriperumbudur, Kanchipuram
SH-57, Singaperumal Koil,
Sriperumbudur Road,
Kanchipuram, Tamil Nadu – 631 604.
- 3.The Inspector of Police,
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Katchipedu, Sriperambudur,
Kanchipuram District.



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4. Sub-Inspector of Police,
C-1, Police Station, Govinda Mettu Street,
Katchipedu, Sriperumbudur,
Kanchipuram District.

5. The Deputy Inspector General of Police,
No.7/9, Varadaraja Pannai,
Vandavasi Road, Sevilimedu, Kanchipuram,
Tamil Nadu – 631 502.

6. The Public Prosecutor,
High Court, Madras.



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Today, the matter is listed under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

2. Heard both sides.

3. Considering the submissions made by the learned counsel for the petitioner, Paragraph No.3 of the order dated 19.02.2025 in W.P.No.1152 of 2025, shall be read as follows :-

“3. It is made clear that the petitioner is not a complainant in the FIR registered in Crime No.131 of 2021. The petitioner is the insurer, and as such, the petitioner filed a fresh complaint for the very same set of allegations. The 6th respondent has already lodged a complaint in Crime No.131 of 2021, which was closed as “Mistake of Facts”. If there is any grievance over the said report, the petitioner can very well approach the concerned Magistrate by way of a protest petition.

4. In view of the above, the directions sought for in the writ petition cannot be considered. Accordingly, this Writ Petition is dismissed. The third respondent is directed to serve the Referred Charge Sheet notice in Crime No.131 of 2021 to the petitioner within a period of two weeks from the date of receipt of a copy of this order. The petitioner, being an aggrieved party, is at



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liberty to file a protest petition before the concerned Magistrate in the manner known to law”.

5. Registry is directed to carry out necessary corrections in the order dated 19.02.2025 in W.P.No.1152 of 2025 and issue fresh order copy.

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