



Crl.R.C.No.577 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.577 of 2025

A.Devika

... Petitioner

Vs

1. The Inspector of Police,
E 2, Royapettah Police Station,
Chennai 600 014.
(Crime No. 536 of 2021)

2. M.V.Nandhinee

3. Giridharan

... Respondents

PRAYER: Criminal Revision Case is filed under Section 438 of BNSS, 2023, to set aside the order dated 06.03.2025 passed in Crl.MP.No.281 of 2025 by learned XVIII Metropolitan Magistrate Saidapet, Chennai consequently direct the trial court to treat the protest petition as a private complaint under Section 200 of Cr.P.C., by taking cognizance of the offences alleged and issue summons to the respondent under Section 204 of Cr.P.C., after recording evidence of the petitioner.

For Petitioner	: Mr.K.N.Nataraj for Mr.Durai Kannan
For R1	: Mr.A.Gopinath Government Advocate (Crl.side)
For R2 and R3	: Not ready in notice No appearance

ORDER



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WEB COPY This Criminal Revision has been filed challenging the order dated 06.03.2025 passed in Crl.MP.No.281 of 2025 by learned XVIII Metropolitan Magistrate Saidapet, Chennai, thereby directing the first respondent to investigate further with regard to the recording of video and audio messages and submit a report.

2. Heard the learned counsel appearing on either side and perused the materials placed on record.

3. The petitioner is the mother of the deceased Doctor. The deceased, while he was working at Royapettah Government Hospital, on 24/25.11.2021, he was found dead in a suspicious circumstances in Room No.811 of Savera Hotel, Chennai. Therefore, the first respondent registered FIR in Crime No.536 of 2021, under Section 174 of Cr.P.C. After completion of investigation, the first respondent filed a closure report dated 04.05.2024 before the Trial Court. It was accepted by the Trial Court. Thereafter, the petitioner filed a protest petition in Crl.M.P.No.281 of 2025. After considering the facts and circumstances, the Trial Court, by an order dated 06.03.2025, once again directed the first respondent to enquire the audio and video recordings and submit a report. Aggrieved by the same, the present revision.



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4. The petitioner appeared in person before this Court and deposed that her son attended Corona patients and he was directed to stay at Savera Hotel, Chennai. He got married with the second respondent on 06.03.2016. Due to their wed lock, they gave birth to a female child, on 28.04.2017. Thereafter, the second respondent had illegal intimacy with the third respondent herein in their course of employment in the same hospital. The second and third respondents are professionally Doctors. It was questioned by the deceased son. Further it caused mental agony to the deceased. Further, the second respondent threatened that she will lodge a complaint as against the deceased and his parents under Domestic Violence Act and Dowry Prohibition Act, if their relationship is disclosed to anybody. In fact, the deceased had consulted the Advocate for matrimonial disputes.

5. Therefore, due to continuous humiliation, the petitioner's son had committed suicide in a hotel room by administering poisonous drug. She further alleged that soon before his death, he received a video call and also audio call from the second respondent and she threatened him with dire consequences. Because of the cruelty committed by the second and third respondents, the petitioner's son committed suicide.



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6. Therefore, the petitioner filed a protest petition against the closure report. Though the Trial Court had ordered for further investigation and to file a report, the learned Government Advocate (Crl.side) would submit that on verification of the mobile phone, there is no new incriminating material available to proceed for further investigation. Therefore, the mobile phone was returned to the petitioner herein. However, the petitioner made out a prima facie case to take cognizance as against the respondents 2 and 3.

7. In view of the above, the XVIII Metropolitan Magistrate Saidapet, Chennai is directed to record the evidence of the petitioner and other supportive witnesses. If any material is available to take cognizance as against the respondents 2 and 3, the Trial Court is directed to take cognizance and proceed with the trial as against the respondents 2 and 3 herein. The said process shall be completed within a period of six months from the date of receipt of a copy of this order.

8. Accordingly, the Criminal Revision Case stands dismissed.



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Internet: Yes

Index: Yes/No

Speaking/Non speaking order
mn



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mn

To

1. The XVIII Metropolitan Magistrate Saidapet, Chennai.
2. The Inspector of Police,
E 2, Royapettah Police Station,
Chennai 600 014.
3. The Public Prosecutor,
High Court, Madras.

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G.K.ILANTHIRAIYAN.J

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel for the petitioner has brought to the notice of this Court that there is a typographical error, in Paragraph No.8 of the order dated 05.08.2025 in Crl.R.C.No.577 of 2025.

3. Considering the submission made by the learned counsel appearing for the respondent, this petition is clarified and Paragraph No.8 of the order dated 05.08.2025 in Crl.R.C.No.577 of 2025 shall read as follows:-

“ 8. Accordingly, the Criminal Revision Case stands disposed of. ”

4. Registry is directed to correct the order dated 05.08.2025 in Crl.R.C.No.577 of 2025, as above and issue order copy afresh.

28.08.2025

Index: Yes/No
Internet: Yes/No
mn



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mn

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