



WEB COPY



Crl.O.P.No.16823 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.06.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.16823 of 2025

Sebastian Sheela,
W/o Late Juiteleoni

.. Petitioner

Vs.

1. The Commissioner of Police,
Tambaram Police Commissionerate,
Karapakkam,
ELCOT SEZ,
Sholinganallur, Chennai-600 119.

2. The Deputy Commissioner of Police,
Office of the DCP.,
Pallikaranai,
Kelambakkam-Vandaloor Road,
Melakottaiyur,
Kandigai-600 127.

3. The State represented by
Inspector of Police,
T-19, Kelambakkam Police Station,
Kittu Nagar,
Kelambakkam-603 130.

.. Respondents

Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, to direct the thirrd respondent-Police to conduct further investigation and include Section 106 of the BNS (304-A of IPC) and under Section 92 of the Factories Act, 1948, committed by the Industry stated in the complaint, dated 01.06.2024 by considering the petitioner's representation, dated 13.03.2025 in FIR in Crime No.163 of 2024, dated 01.06.2024 on the file of the

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third respondent-Police within the stipulated time frame that may be fixed by this Court.

For petitioner : M/s.S.Arokia Mani Raj

For respondents: Dr.C.E.Pratap, Govt. Advocate (Criminal Side)

ORDER

The petitioner has filed the present petition seeking to direct the third respondent-Police to conduct further investigation and include Section 106 of the BNS (Section 304.A of IPC) and under Section 92 of the Factories Act, 1948, committed by the Industry stated in the complaint, dated 01.06.2024 by considering the petitioner's representation, dated 13.03.2025 in FIR in Crime No.163 of 2024, dated 01.06.2024 on the file of the third respondent-Police within the stipulated time frame that may be fixed by this Court.

2. Admittedly, originally, a case was registered under Section 174 Cr.P.C. in Crime No.163 of 2024. The deceased died when he was in the course of employment. Though the case was registered, however, the respondents-Police have not properly investigated the matter to find out the actual cause of death of the deceased. Further, it is not in dispute that, as on date, the employer/occupier/Manager of the Factory has not passed any information to the respondents-Police regarding either the injury or the death of the deceased.

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3. Therefore, the third respondent-Inspector of Police is directed to conduct further investigation in the matter and include Section 106 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 304.A of IPC) and Section 92 of the Factories Act, for the offence(s) stated to have been committed by the ancestor and to direct the conduct of further investigation either for the offence committed by the petitioner and file final report within two months from today, before the concerned Court.

4. With the above directions, this petition is disposed of.

12.06.2025

CS

To

1. The Commissioner of Police,
Tambaram Police Commissionerate,
Karapakkam, ELCOT SEZ,
Sholinganallur, Chennai-600 119.
2. The Deputy Commissioner of Police,
Office of the DCP.,
Pallikaranai, Kelambakkam-Vandalur Road,
Melakottaiyur, Kandigai-600 127.
3. The Inspector of Police,
T-19, Kelambakkam Police Station,
Kittu Nagar, Kelambakkam-603 130.
4. The Public Prosecutor, High Court, Madras.

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