



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.10.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

Crl.R.C.Nos.1363 & 1368 of 2025

Gunalan alias Sathish

...Petitioner in both Crl.R.Cs

Versus

1.The Commissioner of Police,
O/o. The Commissioner of Police,
No.132, EVK Sambath Road,
Vepery, Periyamet, Chennai – 600 007.

...1st Respondent in Crl.R.C.No.1363 of 2025

2.The Inspector of Police (Crime),
H-8, Thiruvottiyur Police Station,
Thiruvottiyur,
Chennai – 600 019.

...2nd Respondent in Crl.R.C.No.1363 of 2025
& 1st Respondent in Crl.R.C.No.1368 of 2025

3.Mr.Suresh Kumar

...3rd Respondent in Crl.R.C.No.1363 of 2025
& 2nd Respondent in Crl.R.C.No.1368 of 2025

(Mr.Suresh Kumar was impleaded as R2 vide Order dated 03.09.2025 in Crl.M.P.No.16497 of 2025 in Crl.R.C.No.1368 of 2025)

Prayer in Crl.R.C.No.1363 of 2025: This Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C praying to set aside the order passed by the learned Judicial Magistrate, Thiruvottiyur in the above Crl.M.P.No.3306 of 2024 dated on 16.06.2025 and direct the 2nd respondent Police to register an FIR and investigate and to take suitable action as against the accused.



Prayer in Crl.R.C.No.1368 of 2025: This Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C praying to set aside the order dated on 20.06.2025 in Crl.M.P.No.3341 of 2024 in Crime No.299 of 2024 passed by the learned Judicial Magistrate, Thiruvottiyur and consequently, issue a direction for further investigation of the case by an independent investigation agency.

For Petitioner in both Crl.R.Cs : Mr.S.Venkatesan
for Mr.R.Arunkumar

For Respondent – 1 & 2
in Crl.R.C.No.1363 of 2025
and
For Respondent – 1
in Crl.R.C.No.1368 of 2025 : Dr.C.E.Pratap,
Govt. Advocate (Crl.Side)

For Respondent – 3
in Crl.R.C.No.1363 of 2025
and
For Respondent – 2
in Crl.R.C.No.1368 of 2025 : No Such Person

COMMON ORDER

The relief sought in Criminal Revision Case No.1363 of 2025 is to set aside the order dated 16.06.2025 in Crl.M.P.No.3306 of 2024 passed by the learned Judicial Magistrate, Thiruvottiyur and to direct the 2nd Respondent Police to register the FIR and investigate and to take suitable action as against the Accused.



2. The relief sought in Criminal Revision Case No.1368 of 2025 is to set aside the order dated 20.06.2025 in CrI.M.P.No.3341 of 2024 in Crime No.299 of 2024 passed by the learned Judicial Magistrate, Thiruvottiyur and consequently, to issue a direction for further investigation of the case by an independent investigation agency.

3. The brief facts of the case are as follows:

The Petitioner had married one Indira Priyadharshini in the year 2008. The Petitioner and his wife had no children. They were residing in a rental house located at London Complex, T.H.Road, Thiruvottiyur, Chennai – 600 019 owned by one Mr.Suresh Kumar (3rd Respondent in CrI.R.C.No.1363 of 2025 & 2nd Respondent in CrI.R.C.No.1368 of 2025). The Petitioner's wife was a Beautician and she was running a Beauty Parlour in the very same London Complex where they were residing for rent. The rental agreement of the said Beauty Parlour was in the name of Petitioner's wife. On 29.03.2024, at around 6.34 p.m., the said Suresh Kumar contacted the Petitioner over phone and informed that Petitioner's wife had hanged herself inside the bedroom and thus, immediately, she was taken to Sugam Hospital, Thiruvottiyur where the Doctors declared that the Petitioner's wife had died.



4. Upon receipt of said information, Petitioner had lodged a complaint before the Inspector of Police, H-8, Thiruvottiyur Police Station, Chennai – 600 019 regarding the suicide of his wife. Based on the Petitioner's complaint, the Police had registered a case in Crime No.299 of 2024 and started investigating the case. During investigation, the Police found that before the Petitioner's wife had committed suicide, she had recorded a video in her mobile phone. The Police had seized the mobile phone used by the Petitioner's wife.

5. The Petitioner had a doubt that his wife would have committed suicide due to the mental and physical harassment caused by their house owner, Suresh Kumar, but, the Police were trying to protect the said Suresh Kumar. Therefore, Petitioner had filed a petition in CrI.O.P.No.13374 of 2024 before this Court praying to transfer the investigation to another agency. This Court vide Order dated 10.06.2024, disposed of CrI.O.P.No.13374 of 2024 by directing the Inspector of Police, H-8, Thiruvottiyur Police Station, Chennai – 600 019 to complete the investigation and file a Final Report within 45 days. However, without properly investigating the case, the Police had closed the case in Crime



No.299 of 2024 as a suicide. Therefore, Petitioner had filed a Protest Petition in CrI.M.P.No.3341 of 2024 before the District Munsif cum Judicial Magistrate Court, Thiruvottiyur praying to appoint a new Investigation Officer and direct him to re-investigate the case in Crime No.299 of 2024 and file the Final Report. Further, Petitioner had submitted a digital evidence viz., Pen Drive which contains the video footage recorded by his wife on the date of her suicide, before the District Munsif cum Judicial Magistrate Court, Thiruvottiyur and prayed to accept the said digital evidence under Section 65B of Indian Evidence Act, 1872.

6. After the demise of Petitioner's wife, on 22.09.2024, when the Petitioner visited the said Beauty Parlour which was being run by his wife, he found that the shop's door was opened by breaking its lock and the following items viz.,

(i) Customer Chairs	-	2
(ii) Split A/C	-	1
(iii) Reception Table	-	1
(iv) Inverter	-	1
(v) Facial Machine	-	1



(vi) Name Board	-	3
(vii) Wall Fan	-	3
(viii) Smart TV (32 inches)	-	1
(ix) Chairs	-	2
(x) Air Wash Bed	-	1
(xi) Focus Lights	-	2
(xii) Cosmetic items		

kept inside the shop were stolen. The Petitioner suspected that the house owner, Suresh Kumar would have opened the shop and stolen the items which were kept inside the shop. Therefore, Petitioner lodged a complaint before the Inspector of Police, H-8, Thiruvottiyur Police Station, Chennai – 600 019 on 28.09.2024 regarding the unlawful breaking open of the Beauty Parlour run by his wife and theft of valuable items kept inside the shop. However, even after the receipt of Petitioner's complaint, the Police did not register the FIR on Petitioner's complaint. Hence, Petitioner had sent a Representation dated 01.10.2024 before the 1st Respondent requesting to direct the Inspector of Police, H-8, Thiruvottiyur Police Station, Chennai – 600 019 to conduct proper enquiry and register the FIR against the accused based on his Complaint dated 28.09.2024, but, there was no response for the



same. So, Petitioner had filed a Petition in Crl.M.P.No.3306 of 2024 under Section 156(3) of Cr.P.C before the Judicial Magistrate Court, Thiruvottiyur praying to direct the Respondent Police to register the FIR on the basis of his Complaint dated 28.09.2024. However, the learned Judicial Magistrate, Thiruvottiyur vide Order dated 16.06.2025, dismissed Crl.M.P.No.3306 of 2024.

7. Subsequently, the learned Judicial Magistrate, Thiruvottiyur vide Order dated 20.06.2025, dismissed the Petitioner's Protest Petition in Crl.M.P.No.3341 of 2024 and accepted the Final Report filed by the Respondent Police.

8. Aggrieved by the order dated 16.06.2025 in Crl.M.P.No.3306 of 2024 as well as order dated 20.06.2025 in Crl.M.P.No.3341 of 2024 in Crime No.299 of 2024 passed by the learned Judicial Magistrate, Thiruvottiyur, Petitioner has filed the present Criminal Revision Petitions.

9. The learned counsel for Petitioner submitted that Petitioner and his wife were residing in a rental house owned by Mr.Suresh Kumar (3rd



Respondent in Crl.R.C.No.1363 of 2025 & 2nd Respondent in Crl.R.C.No.1368 of 2025). On 29.03.2024, the said Suresh Kumar had contacted the Petitioner over phone and informed that Petitioner's wife had committed suicide by hanging herself. On the basis of complaint given by the Petitioner, Respondent Police had registered a case in Crime No.299 of 2024, but, later, the Police had closed the case in Crime No.299 of 2024 as a suicide. Hence, Petitioner had filed a Protest Petition before the District Munsif cum Judicial Magistrate Court, Thiruvottiur praying to appoint a new Investigation Officer and direct him to re-investigate the case in Crime No.299 of 2024 and file the Final Report.

9.1. It is submitted by the learned counsel for Petitioner that after the demise of Petitioner's wife, when the Petitioner visited the Beauty Parlour run by his wife, he found that the shop's door was opened and many valuable items kept inside the shop were stolen. Hence, Petitioner lodged a police complaint regarding the theft of valuable items kept inside the Beauty Parlour run by his wife. However, the Police had neither conducted a proper enquiry nor registered the FIR on the Petitioner's complaint. Hence, Petitioner had filed a petition before the Judicial Magistrate Court,



Thiruvottiyur praying to direct the Respondent Police to register the FIR based on his complaint. However, the learned Judicial Magistrate, Thiruvottiyur has dismissed the said petition as well as the Protest Petition filed by the Petitioner.

9.2. The learned counsel for Petitioner further submitted that before committing suicide, Petitioner's wife had recorded a video in her mobile phone. Thus, Petitioner had a doubt that his wife would have committed suicide due to the mental and physical harassment caused to her by their house owner, Suresh Kumar and also, he had a doubt that the said Suresh Kumar would have opened the Beauty Parlour run by his wife and stolen the items which were kept inside the shop.

9.3. It is submitted by the learned counsel for Petitioner that though the Petitioner had submitted a digital evidence viz., Pen Drive which contains the video footage recorded by his wife before the Court, without appreciating the said digital evidence, the learned Judicial Magistrate, Thiruvottiyur has dismissed the Petitioner's Protest Petition.



9.4. The learned counsel for Petitioner also submitted that Mr.Suresh Kumar (3rd Respondent in Crl.R.C.No.1363 of 2025 & 2nd Respondent in Crl.R.C.No.1368 of 2025) and Petitioner's father-in-law viz., Ramakrishnan illegally opened the door of Beauty Parlour run by Petitioner's wife and took away the valuable items which were kept inside the shop. The Court below has failed to note that though the said Suresh Kumar is an owner of the premises in which the Petitioner's wife was running a Beauty Parlour, he has no right to break open the shop's door and take away the things inside the shop. Therefore, the learned counsel prayed that the impugned orders may be set aside and these Criminal Revision Petitions may be allowed.

10. The learned Government Advocate (Crl.Side) appearing on behalf of Respondent Police submitted that as far as Crl.R.C.No.1368 of 2025 is concerned, the Respondent Police had conducted a detailed investigation in Crime No.299 of 2024 and only thereafter, filed the Closure Report stating that the Petitioner's wife had died due to the reason that her husband (Petitioner) is addicted to alcohol which is clearly evident from the message sent by the deceased to her husband as well as video footage recorded by the deceased in her mobile phone before her suicide and thus, the Police has



dropped the further proceedings of the case in Crime No.299 of 2024. The Police had also thoroughly checked the digital evidence submitted by the Petitioner and the same does not contain any instigation, threat or willful conduct which satisfies the requirements under Section 306 of IPC. Therefore, the learned Judicial Magistrate, Thiruvottiyur has dismissed the Petitioner's Protest Petition by holding that the Closure Report filed by the Investigating Officer does not suffer from any glaring illegality or irregularity.

10.1. It is further submitted by the learned Government Advocate (Crl.Side) that so far as Crl.R.C.No.1363 of 2025 is concerned, after the receipt of Petitioner's complaint, the Police visited the address where the Petitioner and his wife were residing for rent and also, the Police personally enquired the parents and relatives of the deceased. During enquiry, Petitioner's father-in-law had stated there was an ongoing conflict between his daughter & son-in-law and in this background, his daughter had committed suicide on 29.03.2024. While the Police enquired the house owner, Suresh Kumar, he had stated that after the demise of Petitioner's wife, Petitioner neither visited the rental house and Beauty Parlour run by



his wife nor paid the rent and thus, he instructed the Petitioner's father-in-law to vacate the premises, as per his instructions, Petitioner's father-in-law vacated the premises and took away the items inside the shop. However, Petitioner had given a Police complaint stating that the valuable items kept inside the Beauty Parlour run by his wife were stolen. However, the items inside the shop were not stolen as stated in the complaint given by Petitioner and thus, FIR was not registered on the Petitioner's complaint. This would be clearly evident from the Police Enquiry Report dated 17.12.2024 submitted by the Respondent Police before the learned Judicial Magistrate, Thiruvottiyur. Therefore, the learned Judicial Magistrate, Thiruvottiyur has dismissed CrI.M.P.No.3306 of 2024 by holding that no *prima facie* case has been made out to invoke Section 156(3) of Cr.P.C for directing registration of FIR.

11. Heard the learned counsel for Petitioner and the learned Government Advocate (CrI.Side) for Respondent Police.

12. In the present case, Petitioner and his wife viz., Indira Priyadharshini were residing at a rental house owned by one Mr.Suresh



Kumar (3rd Respondent in Crl.R.C.No.1363 of 2025 & 2nd Respondent in Crl.R.C.No.1368 of 2025). The Petitioner's wife was running a Beauty Parlour in a complex where they were residing for rent. While so, on 29.03.2024, at around 6.34 p.m., their house owner, Suresh Kumar contacted the Petitioner over phone and informed that Petitioner's wife had hanged herself inside the bedroom of the house and thus, immediately she was taken to Sugam Hospital, Thiruvottiyur where the Doctors declared that the Petitioner's wife had died. Upon receipt of said information, Petitioner had lodged a police complaint regarding the suicide of his wife. Based on the Petitioner's complaint, the Police had registered a case in Crime No.299 of 2024.

13. The Petitioner had a doubt that his wife had died due to mental and physical harassment caused by their house owner, Mr.Suresh Kumar and the Police were trying to protect the said Suresh Kumar. Therefore, Petitioner had filed Crl.O.P.No.13374 of 2024 before this Court praying to transfer the investigation to another agency. This Court disposed of the said petition by directing the Inspector of Police, H-8, Thiruvottiyur Police Station, Chennai – 600 019 to complete the investigation and file a Final



Report within 45 days. However, without properly investigating the case, the Police had closed the case in Crime No.299 of 2024 as a suicide. Aggrieved by the same, Petitioner had filed a Protest Petition in CrI.M.P.No.3341 of 2024 before the District Munsif cum Judicial Magistrate Court, Thiruvottiyur praying to appoint a new Investigation Officer and direct him to re-investigate the case in Crime No.299 of 2024 and file the Final Report.

14. Further, Petitioner had a suspicion that after the demise of his wife, the said Suresh Kumar would have opened the Beauty Parlour and stolen the valuable items which were kept inside the shop. So, Petitioner lodged a police complaint stating that some of the valuable items kept inside the Beauty Parlour run by his wife were stolen, also contend that the Police had neither conducted a proper enquiry nor registered the FIR on the complaint of Petitioner. Hence, Petitioner had filed a Petition in CrI.M.P.No.3306 of 2024 before the Judicial Magistrate Court, Thiruvottiyur praying to direct the Respondent Police to register the FIR based on his Complaint dated 28.09.2024. However, the learned Judicial Magistrate, Thiruvottiyur vide Order dated 16.06.2025, dismissed CrI.M.P.No.3306 of



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15. Subsequently, the learned Judicial Magistrate, Thiruvottiyur vide Order dated 20.06.2025, dismissed the Petitioner's Protest Petition and accepted the Final Report filed by the Respondent Police. Hence, Petitioner has filed these Criminal Revision Petitions.

16. As far as CrI.R.C.No.1368 of 2025 is concerned, based on the Petitioner's complaint, the Respondent Police had registered a case in Crime No.299 of 2024. Thereafter, the Police conducted a detailed investigation and filed the Closure Report stating that they have dropped the further proceedings in the case as there is no *prima facie* material available.

17. From a careful reading of the aforesaid Closure Report, it is evident that Petitioner and deceased Indira Priyadharshini are husband and wife and their marriage was held in the year 2008. After marriage, Petitioner was working as a car driver and his wife was running a Beauty Parlour. The Petitioner and his wife had no children. It is also evident that the Petitioner and his wife were living in a rental house owned by one Mr.Suresh Kumar.



While so, Petitioner was having a regular habit of consuming alcohol and under the influence of alcohol, he was abusing his wife in filthy words. Due to the said activities of Petitioner, his wife went under depression, as a result of which, she had committed suicide on 29.03.2024. Before committing suicide, Petitioner's wife had sent a text message to the Petitioner and she had also recorded a video in her mobile phone.

18. The Petitioner had submitted a digital evidence viz., Pen Drive which contains the video recorded by his wife in her mobile phone, before the District Munsif cum Judicial Magistrate Court, Thiruvottiyur and prayed to accept the said digital evidence. The Respondent Police had also thoroughly checked the digital evidence submitted by the Petitioner, but, the said digital evidence does not contain any instigation, threat or willful conduct which satisfies the requirements under Section 306 of IPC and hence, the Respondent Police has closed the case in Crime No.299 of 2024 as suicide. Therefore, the learned Judicial Magistrate, Thiruvottiyur vide Order dated 20.06.2025, dismissed the Petitioner's Protest Petition in CrI.M.P.No.3341 of 2024 and accepted the Final Report filed by the Respondent Police.



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19. So far as CrI.R.C.No.1363 of 2025 is concerned, upon receipt of Petitioner's complaint regarding the theft of valuable items kept inside the Beauty Parlour run by his wife, the Respondent Police had conducted an enquiry. After the completion of enquiry, the Respondent Police had submitted the Enquiry Report dated 17.12.2024 before the learned Judicial Magistrate, Thiruvottiyur stating that during enquiry, Mr.Suresh Kumar had stated that after the demise of Petitioner's wife, the rental house in which the Petitioner and his wife were residing as well as the Beauty Parlour which was run by the Petitioner's wife remained locked and the rent was not paid; so, he instructed the Petitioner's father-in-law to vacate the premises and thus, Petitioner's father-in-law vacated the premises and took away the items which were kept inside the shop. The items kept inside the Beauty Parlour run by Petitioner's wife were not stolen as stated in the complaint given by Petitioner and hence, the Respondent Police had not registered the FIR on Petitioner's complaint. Therefore, the learned Judicial Magistrate, Thiruvottiyur vide Order dated 16.06.2025, dismissed CrI.M.P.No.3306 of 2024 by holding that no *prima facie* case has been made out to invoke



Section 156(3) of Cr.P.C for directing registration of FIR.

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20. Today, Petitioner and the parents of deceased Indira Priyadharshini have appeared before this Court.

21. When this Court enquired the parents of deceased, they stated that their daughter had married the Petitioner in the year 2008 and the Petitioner was having a regular habit of consuming alcohol and abusing their daughter in a filthy language, due to the said activities of Petitioner, their daughter went under depression and she had committed suicide.

22. When this Court enquired the Petitioner, he admitted that he is having a habit of consuming alcohol, but, he stated that there is a mystery in his wife's death, but, the Respondent Police had closed the case in Crime No.299 of 2024 as suicide. He also stated that after the demise of his wife, the valuable things kept inside the Beauty Parlour run by his wife were stolen and hence, he lodged a police complaint regarding the theft of said items, but, the Respondent Police has not register the FIR on his complaint. He further stated that he has a doubt that Mr.Suresh Kumar (3rd Respondent



in Crl.R.C.No.1363 of 2025 & 2nd Respondent in Crl.R.C.No.1368 of 2025)
is the reason behind the death of his wife as well as the theft of valuable items kept inside the Beauty Parlour run by his wife.

23. From the statements made by the Petitioner and the parents of deceased before this Court, it is crystal clear that the Petitioner is having an intention to grab money from Mr.Suresh Kumar (3rd Respondent in Crl.R.C.No.1363 of 2025 & 2nd Respondent in Crl.R.C.No.1368 of 2025) and therefore, he has come forward with a vexatious claim that the said Suresh Kumar is a reason behind the mysterious death of his wife and theft of valuable items kept inside the Beauty Parlour run by his wife. There is no doubt that these Criminal Revision Petitions are nothing but sheer abuse of process of law.

24. Considering the above facts and circumstances of the case, I am of the opinion that the impugned orders passed by the learned Judicial Magistrate, Thiruvottiur does not warrant any interference since there is no merit in the case of Petitioner. Therefore, this Court is not inclined to allow these Criminal Revision Petitions.



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25. In the result, these Criminal Revision Petitions are dismissed and order dated 16.06.2025 in CrI.M.P.No.3306 of 2024 and order dated 20.06.2025 in CrI.M.P.No.3341 of 2024 in Crime No.299 of 2024 passed by the learned Judicial Magistrate, Thiruvottiyur are confirmed. Consequently, connected Miscellaneous Petitions are closed.

07.10.2025

mrr

Index: Yes/No

Speaking Order (or) Non-Speaking Order

To

- 1.The Judicial Magistrate,
Thiruvottiyur.
- 2.The Commissioner of Police,
O/o. The Commissioner of Police,
No.132, EVK Sambath Road,
Vepery, Periyamet, Chennai – 600 007.
- 3.The Inspector of Police (Crime),
H-8, Thiruvottiyur Police Station,
Thiruvottiyur,
Chennai – 600 019.
- 4.The Public Prosecutor,
High Court, Madras.

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T.V.THAMILSELVI, J.

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Crl.R.C.Nos.1363 & 1368 of 2025

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