



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 11395 of 2026

V. Divakar

..Petitioner(s)

Vs

1. The District Superintendent of Police
Salem District,
Salem.

2. The Inspector of Police
Steel Plant Police Station,
Salem District.

..Respondent(s)

Prayer: This criminal original petition is filed under Section 528 of BNSS, 2023 seeking to direct the learned Judicial Magistrate No.1, Salem to dispose the case in Crl.MP.No.307 of 2025 within the stipulated time as prescribed by this Court.

For Petitioner(s): Mr.C.Deepakkumar

For Respondent(s): Mr.R.Rajasekaran,
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the learned Judicial Magistrate No.1, Salem to dispose of the case in Crl.MP.No.307 of 2025 within a time frame fixed by this Court.

2. According to the petitioner, he had completed Diploma course in Mechanical engineering at Government Polytechnic College, Vanavasi, Mettur



Taluk, Salem. Pursuant to the completion of the said course, he joined apprenticeship training in Steel Authority of India Limited, Steel Plant, Salem, where the petitioner acting under the instructions of one Senthil Kumar, Senior Technician to remove a bolt from a vice machine near an oxygen valve, was startled by black smoke from a grinding machine, tripped, and severed four fingers on an uncovered man cooler fan that lacked a safety mesh. Hence, the petitioner lodged a complaint dated 25.04.2024 before the second respondent and thereafter, CSR No.136 of 2024 was assigned. Since no action has been taken, the petitioner filed a petition under Section 175(3) of BNSS before the learned Judicial Magistrate No.I, Salem in Crl.M.P.No.307 of 2025. Though the said petition was filed during January 2025, it has been periodically adjourned without any progress. Hence, he filed the present petition seeking speedy disposal of the said case.

3. The learned Government Advocate (Crl.Side) appearing for the respondents – Police reiterated the prosecution case and presented physical evidence to the Court, which included the petitioner's official medical records and a compact disk confirming the physical injuries that the petitioner had suffered.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents and



perused the materials available on record.

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5. Upon a perusal of the entire medical record, this Court is of the view that a cognizable offence has been made out. The petitioner, who has suffered significant loss and damage at a young age, has been made to run from pillar to post to get a First Information Report registered, which is the fundamental requirement for an investigation. Hence, the second respondent—Police is directed to register an FIR based on the complaint submitted by the petitioner. The second respondent shall collect the documents produced before the learned Judicial Magistrate No. I, Salem, in Crl.M.P. No. 307 of 2025 that are required for the investigation, and shall file the final report, preferably within a period of one year from the date of receipt of a copy of this order.

6. With the above observation and direction, this criminal original petition is disposed of.

01-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. The District Superintendent of Police
Salem District,
Salem.
2. The Judicial Magistrate No.1, Salem
3. The Inspector of Police
Steel Plant Police Station,
Salem District.
4. The Public Prosecutor,
High Court, Madras.

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M.NIRMAL KUMAR, J.

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