



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 1162 of 2026

Surendarkumar Poonia
S/o. Sulthan Singh Poonia,
F-No.S-1, Kurtarkar Nagari-26,
Shanti Nagar, Ponda,
North Goa, Goa-403 401.

..Petitioner(s)

Vs

1. The Commissioner of Police
Avadi Commissionerate,
Chennai-600 054.
2. The Deputy Commissioner of Police
Ambattur, Chennai.
3. The Inspector of Police
Redhills Traffic Investigation,
Redhills, Chennai-600 052.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF MANDAMUS, directing the 1st and 2nd Respondents to preserve the expanded portion of articles for enabling the petitioner to conduct second opinion on the basis of the representation given by the petitioner dated 07-05-2026.

For Petitioner(s): Mr.B.Kumarasamy

For Respondent(s): Mr.R.Ganesh Kumar

ORDER

The Writ Petition has been filed for a direction, directing the 1st and 2nd



respondents to preserve the expanded portion of articles for enabling the petitioner to conduct second opinion.

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2.The petitioner's brother met with an accident and died. His body was subjected to postmortem. After postmortem, some of the organs of the deceased were sent to the forensic laboratory for toxicology examination. After the examination, it was found that the stomach & contents detected 156.0mg of Ethyl alcohol. The intestine & contents also detected 110.0mg of Ethyl alcohol. His Liver and Kidney also detected 179.0mg of Ethyl alcohol.

3.The learned counsel for the petitioner submits that the deceased is a teetotaller and he was not in the habit of consuming alcohol. The articles which are sent by the respondents for viscera report were sent along with another article which is related to other crime number. Therefore, there is a chance for mismatch and thus the petitioner has sought for preservation of the portion of articles which was sent for forensic laboratory testing.

4.On a perusal of the records, the articles belonging to the deceased were sent to the forensic examination laboratory by mentioning Postmortem Report No.1830 of 2025 in Crime No.592 of 2025. On examination, the forensic department found that the stomach & contents detected 156.0mg of Ethyl alcohol. The intestine & contents detected 110.0mg of Ethyl alcohol. His Liver



and Kidney also detected 179.0mg of Ethyl alcohol. Therefore, there is absolutely no chance of having interchanged the samples with the other sample.

Further, the 3rd respondent can send as many samples as they want in one request, and there is absolutely no bar for the 2nd and 3rd respondent to send samples by separate request. Further, after reporting, the expanded portion of the articles would be destroyed with bio specimen disposal. Therefore, there is absolutely no prima facie case made out by the petitioner to conduct another examination for obtaining a second opinion or to preserve the expanded portion of the articles.

5. In view of the above, this Writ Petition stands dismissed. No costs.

08-06-2026

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

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To

1. The Commissioner of Police
Avadi Commissionerate,
Chennai-600 054.

2. The Deputy Commissioner of Police
Ambattur, Chennai.

3. The Inspector of Police
Redhills Traffic Investigation,
Redhills, Chennai-600 052.



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G.K.ILANTHIRAIYAN, J.

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