1

ITEM NO.1 Court 4 (Video Conferencing) SECTION II-C

SUPREME COURT OF INDIA RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No.807/2022

(Arising out of impugned final judgment and order dated 04-02-2021 in HCP No.643/2011 passed by the High Court of Judicature at Madras)

R. SANKARASUBBU

Petitioner(s)

VERSUS

THE COMMISSIONER OF POLICE & ORS.

Respondent(s)

(With appln.(s) for I.R. and IA No.13925/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date: 07-02-2022 This petition was called on for hearing today.

CORAM:

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. R. Basant, Sr. Adv.
Mr. S. Prabakaran, Sr. Adv.
Mr. Rahul Shyam Bhandari, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following O R D E R

1 Mr R Basant, learned senior counsel appearing on behalf of the petitioner and Mr S Prabakaran, learned senior counsel appearing on behalf of the fifth and sixth respondents in support of the submissions which have been urged on behalf of the petitioners, urged that:

- (i) The investigation in the present case into the death of the son of the petitioner, who is a member of the Bar, was initially directed by the High Court to be handed over from the local police in Tamil Nadu to the Central Bureau of Investigation (CBI) and, after the CBI submitted a status report on 5 March 2012 indicating that it was a case of suicide, the High Court constituted an SIT headed by Shri R K Raghavan on 20 February 2013;
- (ii) The SIT concluded that the death was occasioned by suicide but was homicidal but the offence remains undetected;
- (iiii) Since the investigation was handed over from the State police initially to the CBI and, thereafter, to the SIT, the direction of the High Court in the impugned order for heading over the investigation to the CBCID (Metro) Chennai may not serve the purpose;
- (iv) Though the impugned order of the High Court was passed on 4 February 2021 by which directions were issued to the CBCID to file quarterly status reports before the Additional Chief Metropolitan Magistrate, Egmore, no progress has been made in the investigation.
- 2 Issue notice, returnable in four weeks.
- 3 Liberty to serve the Standing Counsel for the State of Tamil Nadu, in addition.
- 4 A status report shall be filed by the CBCID (Metro) Chennai indicating the progress in the investigation in the course of the previous year since the order of the High Court.
- 5 List the Special Leave Petition on 7 March 2022.

(CHETAN KUMAR) A.R.-cum-P.S. (SAROJ KUMARI GAUR) COURT MASTER