



**Crl.OP(MD).No.14105 of 2026**

**WEB COPY** BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**ORDER RESERVED ON : 13.07.2026**

**ORDER PRONOUNCED ON : 20.07.2026**

**CORAM**

**THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR**

**Crl.O.P(MD).No.14105 of 2026  
and  
Crl.MP(MD).Nos.13707 & 13709 of 2026**

Paramasivam

....Petitioner/Accused No. 1

**Vs**

1.State of Tamil Nadu Rep.by  
The Inspector of Police  
CBCID-South  
kanyakumair District  
Crime No.1 of 2024

2.Sivakumar

....2<sup>nd</sup> Respondent/Defacto Complainant

**Prayer:**Petition is filed under Section 528 of BNSS 2023, to call for the entire records connection with the case in S.C.No.51 of 2026 on the file of the Principal District and Sessions Judge, Nagercoil and quash the same as against the petitioner herein /sole accused.

For Petitioner

: Mr.Niranjan S.Kumar

For Respondents

: Mr.P.Samuel Gunasingh  
Government Advocate (Crl.side) for R1



Crl.OP(MD).No.14105 of 2026

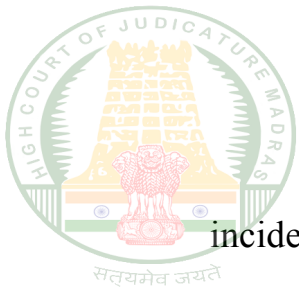
WEB COPY

## **ORDER**

The present petition has been filed by the first accused in S.C.No.51 of 2026 on the file of the Principal District and Sessions Judge, Nagercoil seeking to quash the charge sheet wherein he is charged with the offence under Sections 306, 354, 354A, 509, 294(b), 506(1) IPC, Section 4, 4B(1), 4B(2) of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 4 of Tamil Nadu Prohibition of Ragging Act, 1997.

2.A perusal of the charge sheet reveals that the deceased who had completed her M.B.B.S degree was initially working in a private hospital in Tuticorin as a Medical Officer. Thereafter, she had joined M.D. (Anaesthesiology) in another Private College at Kulasekaram in Kanyakumari District. She was staying in the hostel. As per allegations in the charge sheet, the petitioner who is the Head of the Department of Anaesthesiology department along with other two accused are said to have sexually and mentally harassed the deceased. Therefore, she had committed suicide on 05.10.2023.

3.According to the learned counsel for the petitioner, the allegation of sexual harassment are completely false and as a Head of the Department, he had only chided and reprimanded the concerned student of M.D. (Anaesthesiology) only for better treatment of the patients. None of the



**Crl.OP(MD).No.14105 of 2026**

incidents cited in the charge sheet would reveal any sexual harassment or mental harassment on the part of the petitioner. As a Head of the Department, he is expected to perform his duties and he is answerable to the management. In such circumstances, the same cannot be considered to be an abatement of suicide.

4.The learned counsel for the petitioner had relied upon a decision of the Hon'ble Supreme Court reported in **2025 INSC 990 (Abhinav Mohan Delkar Vs. The State of Maharashtra and others)**, especially paragraph Nos. 22 and 23 in support of his contention. He has also relied upon a judgment of the Hon'ble Supreme Court in **SLP.Appeal (Crl.)No.9099 of 2024 ( Thanjavel Vs. The State through Inspector of Police and another)** dated 22.05.2025 and contended that there was nothing personal between the petitioner and the deceased and only he was reprimanding the student based upon her activities and chiding or reprimanding would not attract the charges under Section 306 of I.P.C.

5.Per contra, the learned Government Advocate (Crl.side) appearing for the respondent police submitted that a suicide note has been recovered from the deceased and the suicide note reflects that the petitioner has been subjected to the sexual harassment, physically and mentally abuse by the petitioner. He further submitted that the handwriting in the said suicide note was referred for forensic expert and they have received a positive result to the



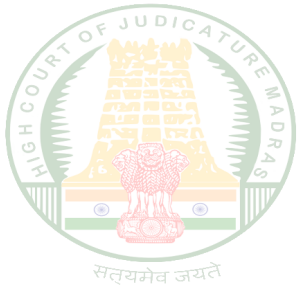
Crl.OP(MD).No.14105 of 2026

handwriting of the deceased. Relying upon Section 161 Cr.P.C statement of the other students, he contended that there is a reference about the alleged sexual harassment meted out by the deceased at the hands of the petitioner herein. Hence, he prayed for dismissal of the petition.

6.Heard the learned counsel appearing on either side and perused the material records.

7.This Court has carefully perused the charge sheet. The petitioner is the Head of the Anaesthesiology Department of a Private Medical College wherein the deceased was pursuing her M.D. Anaesthesiology. The incidents on 11.12.2022 and 14.12.2022, extracted in the charge sheet reveal that the petitioner used to crack double meaning jokes as against the deceased. One of the incidents dated 07.01.2023 reflects that the petitioner is said to have dragged the hands of the deceased and pinched it. The 161 Cr.P.C statement of LW7 who is undergoing internship in the hospital also supports the case of the prosecution.

8.The judgment relied upon by the learned counsel for the petitioner relate to a professor chiding the student. That is not applicable to the facts of the present case. The last incident has taken place on 29.09.2023 and she had committed suicide on 05.10.2023. In such circumstances, the judgment relied upon by the petitioner is not applicable to the facts of the present case.



**Crl.OP(MD).No.14105 of 2026**

9.In such view of the matter, there are no merits in the petition and this

Criminal Original Petition stands dismissed. The trial Court is directed to dispose of the case without being influenced by any one of the observations made by this Court. Considering the age of the petitioner, his personal appearance stands dispensed with unless specifically directed by the trial Court. Consequently, connected miscellaneous petitions are closed.

**20.07.2026.**

Internet : Yes/No  
Index : Yes/No  
NCC : Yes/No  
msa

To

1. The Principal District and Sessions Judge, Nagercoil

2.The Inspector of Police  
CBCID-South  
kanyakumari District  
Crime No.1 of 2024

3.The Additional Public Prosecutor  
Madurai Bench of Madras High Court  
Madurai



WEB COPY



**Crl.OP(MD).No.14105 of 2026**

**R.VIJAYAKUMAR, J.**

msa

Crl.O.P(MD).No.14105 of 2026  
and  
Crl.MP(MD).Nos.13707 & 13709 of 2026

20.07.2026