

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2015

CORAM

The Hon'ble Mr. Justice P.N.Prakash

Cr1.O.P.No.10343 of 2013

and

M.P.No.1 of 2015

1. P.G.Ravi
2. Ramachandran
3. Inbasekaran
4. Balakrishnan ...Petitioners/Accused 1 to 4

vs.

1. The State, rep. by
Inspector of Police,
Uthiramerur Police Station,
Kancheepuram District.
2. S.Kamatchi.Respondents/Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to call for records pertaining to the proceedings in Crime No.776 of 2012, on the file of the Uthiramerur Police Station, Kancheepuram District.

For Petitioners : Mr.R.Vijayakumar
For Respondent-1 : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to quash the proceedings initiated against the petitioners in Crime No.776 of 2012, on the file of the Uthiramerur Police Station, Kancheepuram District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for first respondent/Police and this Court also perused the FIR registered in Crime No.776 of 2012.

3. It is seen that the first petitioner's daughter, by name Mangalakshmi, aged about 16 years eloped with one Rajkumar, who is the son of Sarangapani, the deceased. Hence, the first petitioner lodged a complaint in Crime No.775. of 2015, against the said Rajkumar, for an offence punishable under Section 363 IPC. Pursuant

to the said case, the father of Rajkumar, named Sarangapani, was called by the Police for interrogation. It is stated that, the said Sarangapani, who returned to his house after interrogation, committed suicide by hanging on 18.10.2012. After the death of Sarangapani, his daughter has lodged the present complaint in Crime No.776 of 2012, against the petitioners for an offence under Section 306 IPC, alleging that her father committed suicide because of the harassment by the petitioners. The fact remains that the first petitioner's minor daughter had eloped with the deceased's son and naturally, to secure his daughter, the petitioner had to lodge a complaint. During police enquiry and after, if the petitioner out of frustration had chided the deceased, that cannot be a reason to hold the petitioner liable for the suicide of Sarangapani.

4. Thus, on a reading of the FIR in Crime No.776 of 2012, this Court is of the view that the complaint given by the de facto complainant/second respondent is nothing but an abuse of process of law, and it does not disclose any offence warranting prosecution against the petitioners for an offence under Section 306 IPC. That apart, for the suicidal act committed by the de facto complainant's father, the petitioners cannot be mulcted with criminal liability, as the petitioners are in no way connected with the offence, and there is also no allegation against them for having committed any of the acts, set out under Section 107 IPC.

5. In the result, the Criminal Original Petition is allowed and the FIR registered against the petitioners in Crime No.776 of 2012, stands quashed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Inspector of Police,
Uthiramerur Police Station,
Kancheepuram District.
- 2 The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.Vijayakumar, Advocate, SR.34037

Br (co)
krd 10/7

Cr1.O.P.No.10343 of 2013