



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2016

CORAM

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.OP (MD) No.6108 of 2016

K.Gopal

..Petitioner/Defacto complainant

Vs

1.The Superintendent of Police,
Sivagangai District.

2.The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.

3.State represented by
The Inspector of Police,
Palayanoor Police Station,
Sivagangai District.
(Crime No.43 of 2015)

.. Respondents/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the third respondent to reinvestigate the case in Crime No.43 of 2015, on his file.

For Petitioners : Mr.S.Ramasamy

For Respondents : Mrs.S.Prabha
Government Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the third respondent to reinvestigate the case in Crime No.43 of 2015, on his file.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. It is seen that the sister of the petitioner who was working as a Cook in the Anganvadi Centre committed suicide on 12.06.2015, pursuant to which a case in Cr.No.43 of 2015 under Section 174 Cr.P.c. was registered and after completing investigation, action dropped report has been filed by the respondent police before the Executive Magistrate. Challenging which, the petitioner is before this Court.

<https://hcservices.ecourts.gov.in/hcservices/>
The learned Counsel for the petitioner submitted that even in the F.I.R. given by the petitioner, he has alleged that



his sister was being subjected to humiliation and torture by one Prema who is one of the colleagues of the deceased Poomari.

5. This Court gave its anxious consideration to the facts obtaining in this case. On a reading of the closure report, it is seen that the deceased Poomari was suffering from mental depression and she was taking treatment in Government Rajaji Hospital, Madurai as well in Vellammal Hospital, Madurai in psychiatric ward.

6. For bringing a charge for abetment of suicide under Section 306 I.P.C., atleast one of the three ingredients adumbrated in Section 107 I.P.C. has to be present. On a complete reading of the F.I.R. and other items, there is no iota material to show that the said Prema had committed any of the acts adumbrated in Section 107 I.P.C. for attracting the provision under Section 306 I.P.C. Hence, this Court does not find any infirmity in the action dropped report filed by the respondent police.

7. With the above observations, this Criminal Original Petition is closed.

Sd/
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar(C.S)
Madurai Bench of Madras High Court,
Madurai.

To

- 1.The Superintendent of Police,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Manamadurai, Sivagangai District.
- 3.The Inspector of Police,
Palayanoor Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.S.Ramasamy, Advocate in SR.No.22683

Cr1.OP (MD) No.6108 of 2016
22.04.2016