

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.20385 of 2018 and
Crl.M.P.No.10936 of 2018

Hari Krishnan

... Petitioner

Vs

1. The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai - 600 081.

2. Arvi Balraj

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the First Information Report filed in Crime No.396 of 2018 on the file of the first respondent police pending investigation.

For Petitioner : Mr.V.Sambamoorthy

For R1 : Mr.C.Raghavan, GA

ORDER

This petition has been filed to call for the records and quash the First Information Report filed in Crime No.396 of 2018 on the file of the first respondent police pending investigation.

2. The petitioner's wife committed suicide on 23.04.2018, pursuant to which, on the complaint given by Arvi Balraj, the first respondent police have registered a case in Crime No.396 of 2018 on 23.04.2018 under Section 174(3) Cr.P.C. and investigation is in progress. While so, the petitioner is before this Court for quashing the prosecution.

3. Mr.Sambamoorthy, the learned counsel for the petitioner, submitted that the case was further altered into 306 IPC and the petitioner was arrested and released on bail. He further contended that there are no ingredients for the offence under Section 306 IPC inasmuch as there are no materials to show that the petitioner abetted suicide of his wife.

4. Per contra, the learned Additional Public Prosecutor refuted his contentions.

5. On a reading of the FIR, this Court finds that there are no materials as such to infer that the petitioner had abetted the commission of suicide of his wife. However, investigation is in progress and therefore, the FIR cannot be quashed at the threshold.

6. Hence, this Court directs the Deputy Commissioner of Police, Washermenpet, Chennai, to monitor the investigation in Washermenpet Police Station in Crime No.396 of 2018 and if during the investigation, it is found that the petitioner has not abetted the suicide of his wife, it is needless to state that further action against the petitioner should be dropped.

7. With the above said observation, this petition is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

kal/mkn

To

1. The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai - 600 081.

2. The Deputy Commissioner of Police,
Washermenpet,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Sambammoorthy, Advocate SR.NO.57110

sm:6.9.2018

Cr1.O.P.No.20385 of 2018