



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD).No.22914 of 2013

and

M.P.(MD).Nos.1 & 2 of 2013

Renuga

... Petitioner / Accused No.2

Vs.

State through
the Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar.
(Crime No.467/11)

... Respondent / Complainant

Prayer: The Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code to call for the records in S.C.No.22 of 2014 on the file of the Mahila Court, Srivilliputhur and quash the same.

For Petitioner : Mr.G.Mariappan

For Respondent : Mr.A.Robinson
Government Advocate (Crl.side)

O R D E R

The petitioner has filed this Criminal Original Petition for quashing the S.C.No.22 of 2014 on the file of the Mahila Court, Srivilliputhur.

2. The petitioner has been arrayed as second accused in S.C.No.22 of 2014 on the file of the Mahila Court, Srivilliputhur. The petitioner is an Instructor in a Government Nursing College, Virudhunagar. One Thamaraiselvi was a student in the said College. There was only one public telephone in the college campus. There has been an instruction that the students cannot use the phone beyond three minutes. In the present case, the said Thamaraiselvi had used the phone beyond the stipulated and permitted time. Therefore, she was pulled up by the third accused. Deeply upset with the same, the said Thamaraiselvi committed suicide. She hung herself after six days. She had also left behind a suicide note. In this regard, Crime No.467 of 2011 was registered on the file of the respondent police. Subsequently, alteration report was filed and the offence under Section 300 of I.P.C. was included. As many as four persons were arrayed as accused. Final report was filed, it was taken cognizance

and committed to the Mahila Court, Srivilliputhur.

3. The learned counsel appearing for the petitioner herein pointed out that the deceased had left behind a suicide note, in which she has stated that no one is responsible for her death. The petitioner was only an Instructor and she had not played any role in the matter, even going by the case of the prosecution. The suicide occurred because the said Thamaraiselvi self depressed by the fact that she was not allowed to speak beyond three minutes in the public telephone maintained in the college campus. Section 306 penalises abetment of suicide. In this case, the College authorities had merely enforced certain norms to maintain discipline and as a result, the incident occurred. The College authorities cannot be fastened with any penal liability in such circumstances. Hence, this Court is of the view that no offence is made out against the petitioner. Therefore, the proceedings in S.C.No.22 of 2014 on the file of the Mahila Court, Srivilliputhur is quashed, as far as the petitioner is concerned. Accordingly, the Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-III)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar.
 2. The Mahila Court, Srivilliputhur
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1. CC to Mr.G.Mariappan Advocate SR.No.63426

akv

MV:RSK-SKN:SAR4:23/05/2018/2P/5C

Cr1.O.P. (MD) .No.22914 of 2013

25.04.2018