



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13/09/2022

WEB COPY

CORAM:

**THE HON'BLE MR JUSTICE G.ILANGO VAN**

Cr1.RC(MD)No.86 of 2020

and

Cr1.MP(MD)Nos.758 and 759 of 2022

Mrs.P.Neelaveni : Petitioner/Petitioner/A4

Vs.

The State rep .by  
The Inspector of Police,  
Sivagiri Police Station,  
Tirunelveli District.

(In Crime No.200 of 2017) : Respondent/Respondent/  
Complainant

**Prayer:** Criminal Revision is filed under Section 397 r/w 401 of the Criminal Procedure Code, to call for the records pertaining to the order, dated 03/01/2020 made in Cr.M.P No.1563 of 2019 in SC No.665 of 2018 on the file of the III Additional Sessions Court, Tirunelveli and set aside the same.

For Petitioner : Mr.C.Mayilvahana Rajendran

For Respondent : Mr.SS.Madhavan  
Government Advocate  
(Criminal side)



## O R D E R

WEB COPY

This criminal revision has been preferred seeking to set aside the order, dated 03/01/2020 made in Cr.M.P No. 1563 of 2019 in SC No.665 of 2018 on the file of the III Additional District Court, Tirunelveli.

### 2.The case of the prosecution in brief:-

One Jamuna Rani committed suicide, on 17/04/2017. The deceased Murugesan is the son-in-law of this petitioner namely Neelaveni. The petitioner believed that the deceased Murugesan is the reason for the death of her daughter Jamuna Rani. Therefore, abetted the commission of murder of Murugesan. In pursuance of the above said abetment, A1 to A3 committed the murder, on 28/07/2017 at about 3.00 pm. So along with A1 to A3, this petitioner was also charge sheeted for the offence under section 302 r/w 109 IPC.

3.The petitioner filed discharge petition before the trial court. That came to be dismissed by order, dated 03/01/2020. According to the learned counsel appearing for the petitioner, even if the statement recorded during the course of investigation is taken as true on its face value, then the above said statement does not satisfy the requirement under section 107 IPC.



4.Heard both sides.

WEB COPY

5.As mentioned earlier, it is the case of the prosecution to the effect that the petitioner entertained doubt that the deceased Murugesan is the root cause for the death of her daughter namely Jamuna Rani and she instigated A1 to A3 to commit the murder. Materials have been collected during the course of investigation in the form of 161(3) Cr.P.C. The trial court went through the statement of the witnesses placed before it. For framing a charge, it is sufficient to say if *prima facie* materials are placed.

6.When materials have been collected in the form of statements during the course of investigation, the veracity have to be decided during the course of trial process. No ground worth considering has been raised by the petitioner to interfere into the order passed by the trial court.

7.When motive has been suggested and abetment of murder is alleged, then it got to be tried to its logical end. I find absolutely no illegality or irregularity in the order that has been passed by the trial court. So I find no merit in this revision.



8. In the result, this criminal revision is **dismissed**. Consequently, connected Miscellaneous Petitions are closed.

13/09/2022

Index: Yes/No  
Internet: Yes/No

er

To,

1. The III Additional Sessions Judge,  
Tirunelveli.
2. The Inspector of Police,  
Sivagiri Police Station,  
Tirunelveli district.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



**G.ILANGOVAN, J**

er

Cr1.RC (MD) No.86 of 2020

13/09/2022