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Crl.OP.No.32255 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

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THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.32255 of 2022

and

Crl.M.P.No.19842 of 2022

J.Selva Princy Ebenezer

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by the Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu, Chengalpattu District.

2.R.Sivapragasam

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records and quash the First Information Report in Crime No.261 of 2022 on the file of the Inspector of Police, Chengalpattu Taluk Police Station, Chengalpattu, Chengalpattu District as against the petitioner.

For Petitioner : Mr.S.Giritharan

For R-1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition is filed for directing quashing the First Information Report in Crime No.261 of 2022 on the file of the Inspector of Police, Chengalpattu Taluk Police Station, Chengalpattu, Chengalpattu District as against the petitioner.

2. The learned counsel for the petitioner submitted that originally the First Information Report was registered under Section 174 of CrPC for the suspicious death of one Kavipriya. Without any material to implicate the petitioner that she had abetted the commission of suicide of the deceased Kavipriya, the respondent police has falsely implicated the petitioner and filed alteration report under Section 306 of IPC implicating the petitioner as an accused, who was responsible for the commission of suicide of Kavipriya. The allegations are bald allegations without any substance and therefore, he prays for quashment of the First Information Report.



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3. In response, the learned Government Advocate (Criminal Side) submitted that during the course of investigation, the respondent police recorded the statements of students, professors and collected chat messages between the deceased Kavipriya and the petitioner. On the basis of the investigation, it became evident that because of a relationship between the petitioner and the deceased, which went beyond the boundaries and also the abetment of the petitioner asking the deceased to commit suicide, if she fails to listen to the words of the petitioner, were alone responsible for the said Kavipriya to commit suicide. The investigation in this case is still pending. Therefore, he prays for dismissal of this petition.

4. Heard the rival submissions of the parties and perused the materials placed on records filed in support of this petition.

5. Considered the submissions of the parties. The allegations in the First Information Report and alteration report shows that the First Information Report was registered under Section 174 of CrPC for the death of the deceased



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Kavipriya. It appears from the alteration report that the deceased Kavipriya and petitioner were in close relationship, which went beyond the normal relationship between two women. It is seen that the petitioner insisted the deceased Kavipriya to communicate only with her, stay with her alone and should not go with others. When Kavipriya made friend with one Suganya, it appears that petitioner told her that she was in friendship with Suganya only because she has fair complexion and the petitioner has dark complexion. It is also alleged that the petitioner wrongly propagated the character of the deceased Kavipriya among the other students. It is further seen that in a telephone conversation, petitioner said to have told the deceased Kavipriya that she has to listen to her words, else she should commit suicide. All these things contributed to the commission of suicide by the deceased Kavipriya.

6. In view of the submissions of the learned Government Advocate (Criminal Side) and alteration report, this Court finds that, as of now, there is materials against the petitioner that she was the one responsible for the commission of suicide by deceased Kavipriya. Therefore, the prayer for



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quashment of First Information Report in Crime No.261 of 2022 on the file of the Inspector of Police, Chengalpattu Taluk Police Station, Chengalpattu District cannot be entertained. In view of the above, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

03.01.2023

Internet : Yes / No

Index : Yes / No

Speaking/Non speaking order
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G.CHANDRASEKHARAN,J.

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To

1.The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu, Chengalpattu District.

2.The Public Prosecutor,
Madras High Court.

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