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Crl.O.P.No.17235 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.17235 of 2025 and
Crl.M.P.Nos.10836 and 10837 of 2025

1. Premkumar
2. Eswaramoorthi
3. Praveen Kumar
4. Kavın

...Petitioners

Vs.

1. State represented by
The Inspector of Police,
Kangeyam Police Station,
Tiruppur District.

2. Tamilselvi

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to call for the entire records connected with the case in S.C.No.44 of 2020 on the file of the Additional District and Sessions Court, Dharapuram, and quash the same as far as the petitioners are concerned.



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For Petitioners : Mr.C.Rajaguru
For Respondents : Dr.C.E.Pratap
Govt. Advocate (Crl.Side) for R1

ORDER

This petition is filed seeking to quash the case in S.C.No.44 of 2020 on the file of the Additional District and Sessions Court, Dharapuram, as far as the petitioners herein are concerned.

2 According to learned counsel for the petitioners, the petitioners have been arrayed as A4 to A7 in S.C.No.44 of 2020. A perusal of the impugned charge sheet would clearly reveal that there is no specific allegation to constitute the offence of abetment or intention or the involvement of the petitioners to aid or instigate the deceased to commit suicide. The defacto complainant, in order to wreck vengeance, foisted false case against the petitioners. None of the witnesses have spoken about the involvement of the petitioners. Hence the present case, against the



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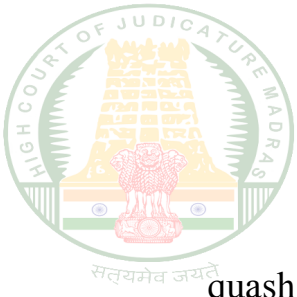
petitioners, has to be quashed.

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3 Learned Government Advocate (Crl.Side) would submit that the daughter of the deceased, who is a defacto complainant, has clearly spoken about the involvement of the petitioners and made allegations against them. Therefore there is no reason to quash the case.

4 Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the first respondent and perused the materials available on record.

5 A careful reading of the complaint made by the defacto complainant and the charge sheet filed by the first respondent police, would reveal that there are specific allegations against the petitioners and there are *prima facie* materials available to proceed the case further. The grounds taken by the petitioners are nothing but a defence, which can be agitated before the trial Court. This Court cannot exercise Section 528 Cr.P.C. and



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quash the case as prayed for by the petitioners.

6 Accordingly this Criminal Original Petition stands dismissed. However, the petitioners are at liberty to take all their defence during trial. Consequently connected miscellaneous petitions stand closed.

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Speaking /Non-speaking order

To

1. The Additional District and Sessions Court, Dharapuram.
2. The Inspector of Police, Kangeyam Police Station, Tiruppur District.
4. The Public Prosecutor, Madras High Court.



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P.VELMURUGAN, J.

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