



WEB COPY



Criminal Revision Case No.2520 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

CORAM :

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

Criminal Revision Case No.2520 of 2025
and CrI.M.P.No.22373 of 2025

Panneerselvam,
S/o.Rengan

... Petitioner

Vs.

1. Inspector of Police,
Avinangudi Police Station,
Cuddalore District
(Crime No.89/2019)

2. Mrs.Chitra,
W/o.Manikandan

...Respondents

Prayer: Criminal Revision Case filed under Section 438 read with 442 of B.N.S.S., to call for the records in connection with impugned order passed by the III Additional District & Sessions Judge, Virudhachalam, Cuddalore District in CrI.M.P.No.119 of 2023 dated 28.08.2025 in S.C.No.118 of 2020, pending on the file of Additional District & Session Judge, Virudhachalam, Cuddalore District and set aside the same as illegal and consequently discharge the petitioner in accordance with law.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Dr.C.E.Pratap,
Government Advocate [CrI.side] [R1]



ORDER

WEB COPY

This Criminal Revision case has been filed to set aside the impugned order passed by the III Additional District & Sessions Judge, Virudhachalam, Cuddalore District in CrI.M.P.No.119 of 2023 dated 28.08.2025 in S.C.No.118 of 2020, pending on the file of Additional District & Session Judge, Virudhachalam, Cuddalore District.

2. The case of the petitioner is that on 26.11.2019 at about 10.00 a.m, the second respondent's husband Manikandan committed suicide by hanging after boarded his wife to college. However, the second respondent has lodged a complaint that she has doubt in his husband's death. In the complaint, the second respondent stated that due to wordy quarrel between the deceased Manikandan and the 1st accused/Kasiammal, 1st accused/Kasiammal and the second respondent's sister-in-law's son one Nellaiya murdered the deceased Manikandan. It is the imagination of the second respondent that the petitioner, who has been arrayed as A3 and other accused joined together to conceal the said incident. Hence, the petitioner filed discharge petition before the Trial Court to discharge him from the charges levelled against him.



3. The learned counsel for the petitioner submits that as per the prosecution version, the offence alleged against the petitioner is under Section 201 IPC. To constitute offence under Section 201 IPC, the following ingredients should be fulfilled:

1. Evidence must be disappeared from offence committed means offence must have been committed.
2. Accused must have knowledge of the offence committed.
3. There should be absolute intention to disappear evidence to screening the offender from legal punishment.

As per the prosecution version, petitioner/accused did not participate in the commission of the offence, he had no knowledge as to commission of crime, no delay in filing the FIR, hence, the Trial Court ought not to have rejected the discharge application of the petitioner.

4. It is further stated by the learned counsel for the petitioner that the 1st respondent police registered a case in Crime No.89 of 2019 under Section 174(i) Cr.P.C., on 26.11.2019 but 1st respondent police did not place the FIR to conduct an inquest by Executive Magistrate, hence, the prosecution involved the accused into the crime without any evidence, which is in violation of this Court's order made in CrI.O.P.No.15515 of 3/6



2017. The materials available on record are not sufficient to proceed with trial against the petitioner/accused. Learned counsel further submitted that to put a person for trial without any basic documents and material evidence is violation of fundamental rights. Hence, he prays to set aside the order of the Trial Court.

5. Considering the entire facts of the case, the petitioner is ranked as A3 charged under Section 201 of IPC and as per the final report, the petitioner also accompanied other accused with an intention to suppress the commission of the murder and has actively involved in the crime, the rejection of discharge of the petitioner is sustainable.

6. The reasons assigned by the Trial Court does not require any interference by this Court. Hence, this Criminal Revision case is dismissed. Connected miscellaneous petition is closed.

26.11.2025

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No
mp



Criminal Revision Case No.2520 of 2025

To

1. The III Additional District & Sessions Judge,
Virudhachalam, Cuddalore District.
2. The Additional District & Session Judge,
Virudhachalam, Cuddalore District.
3. The Section Officer,
VR-Section, High Court of Madras.



WEB COPY



Criminal Revision Case No.2520 of 2025

T.V.THAMILSELVI, J.

mp

Criminal Appeal No.2520 of 2025

26.11.2025