

CrI.O.P.(MD) Nos.15318 & 14674 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.(MD) Nos.15318 & 14674 of 2025

and

CrI.M.P.(MD) No.12448 of 2025

CrI.O.P.(MD) No.15318 of 2025

1.A.Soranchen

2.Daniel

... Petitioners

Vs.

1.State represented by
The Inspector of Police,
Kodaikanal Police Station,
Dindigul District, Dindigul.
(Crime No.254 of 2025)

2.Rajan

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for the records pertaining to the First Information Report in Crime No.254 of 2025 on the file of the first respondent dated 22.08.2025 and quash the same as illegal as against the petitioners alone.



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Crl.O.P.(MD) Nos.15318 & 14674 of 2025

For Petitioners : Mr.T.Lajapathi Roy, Senior Counsel
for M/s.Roy and Roy Associates

For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R2 : Mr.L.K.Charles Alexander

Crl.O.P.(MD) No.14674 of 2025

L.Rajan

... Petitioner

Vs.

1.The State of Tamilnadu rep. by its
Superintendent of Police,
Dindugal District, Tamilnadu.

2.The State of Tamilnadu rep. by its
Deputy Superintendent of Police,
Kodaikanal, Dindugal District.

3.The State of Tamilnadu rep. by its
Inspector of Police,
Kodaikanal Police Station,
Kodaikanal, Dindugal District.
Crime No.254 of 2025

4.The Director,
Central Bureau of Investigation,
New Delhi.

5.Daniel

6.A.Soranchen

... Respondents

[R5 and R6 are impleaded *vide* order of this court dated
16.09.2025 in Crl.M.P.(MD) No.12234 of 2025]



Crl.O.P.(MD) Nos.15318 & 14674 of 2025

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PRAYER : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to transfer the investigation in Crime No.254 of 2025, pending on the file of the third respondent to the fourth respondent.

For Petitioner : Mr.L.K.Charles Alexander

For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R4 : Mr.D.Mohideen Basha
Special Public Prosecutor for CBI

For R5 to R6 : Mr.T.Lajapathi Roy, Senior Counsel
for M/s.Roy and Roy Associates

COMMON ORDER

Crl.O.P.(MD) No.15318 of 2025 has been filed by the petitioners/A3 and A4 to quash the First Information Report in Crime No. 254 of 2025 on the file of the first respondent, the Inspector of Police, Kodaikanal Police Station, Dindigul District, dated 22.08.2025, registered for the offence punishable under Section 194 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which was later altered to an offence under Section 108 of the Bharatiya Nyaya Sanhita, 2023, as far as the petitioners are concerned.



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2. At the same time, Crl.O.P.(MD) No.14674 of 2025 has been filed by the defacto complainant seeking transfer of the investigation in Crime No.254 of 2025 from the third respondent, the Inspector of Police, Kodaikanal Police Station, Dindigul District, to the fourth respondent, the Director, Central Bureau of Investigation, New Delhi.

3. In this order, for the sake of convenience, the petitioners in Crl.O.P.(MD) No.15318 of 2025 are referred to as 'the petitioners', and the petitioner in Crl.O.P.(MD) No.14674 of 2025 is referred to as 'the defacto complainant'.

4. The allegation in the FIR and the subsequent Alteration Report is that the petitioners, in conspiracy with the other accused, had subjected the deceased to cruelty in several ways and thereby abetted the commission of suicide; that the first accused is the wife of the deceased, and the second accused, Antony Aadhesh, is the son of the first petitioner's brother, who had developed an illegal intimacy with the first accused, the wife of the deceased; that on several occasions, the petitioners had threatened the deceased with dire consequences; and that

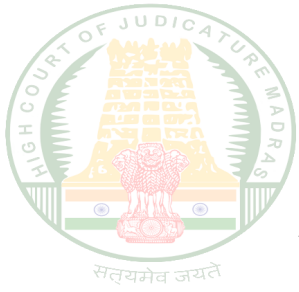


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the deceased had recorded a message in his mobile phone and sent it to his sister, which suggests that the petitioners and others were responsible for the deceased committing suicide.

5. The learned Senior Counsel for the petitioners would submit that the deceased had committed suicide due to matrimonial differences; that only because the petitioners happened to be related to the person alleged to have had an illicit relationship with the first accused, the wife of the deceased, they are sought to be made accused; and that the alleged voice recording would not, in any manner, attract the offence under Section 108 of the Bharatiya Nyaya Sanhita, 2023 [corresponding to Section 306 of the Indian Penal Code, 1860].

6. The learned Additional Public Prosecutor, per contra, would refer to the voice recording and submit that there is *prima facie* evidence to show that the deceased was subjected to torture and cruelty of such a nature as to drive him to commit suicide; that in the voice recording, the details of the cruelty allegedly committed by the petitioners have been spelt out; and that the investigation at this stage cannot be curtailed.

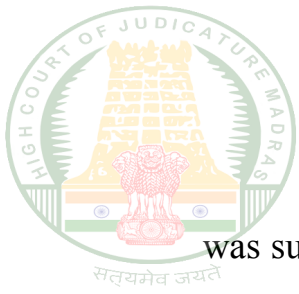


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7. This Court has perused the impugned FIR, the Alteration Report, and the transcription of the voice recording. It would be premature to adjudicate and hold as to whether the petitioners are guilty or not of the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023 [corresponding to Section 306 of the Indian Penal Code, 1860]. The investigation is at the nascent stage, and unless it is brought to its logical conclusion, this Court cannot hold that no offence has been made out against the petitioners. Therefore, this Court is not inclined to quash the FIR.

8. As far as the prayer of the defacto complainant, who is none other than the brother of the deceased, for transfer of the investigation in Crime No.254 of 2025 from the Inspector of Police, Kodaikanal Police Station, Dindigul District, to the Director, Central Bureau of Investigation, New Delhi, is concerned, the main reason for seeking the transfer of investigation is that some of the accused have not been apprehended.

9. It is seen that the FIR was registered for the offences punishable under Section 194 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and



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was subsequently altered to an offence under Section 108 of the Bharatiya Nyaya Sanhita, 2023, on 22.08.2025. Therefore, it cannot be said that the Inspector of Police, Kodaikanal Police Station, Dindigul District, is not conducting a fair investigation merely because some of the accused have not been apprehended so far. The learned Senior Counsel for the private respondents (the petitioners in Crl.O.P.(MD) No.15318 of 2025) would submit that an anticipatory bail petition is pending. Accordingly, this Court is of the view that there is no reason to hold that the Inspector of Police, Kodaikanal Police Station, Dindigul District, is not conducting a fair investigation, and therefore, there is no need to transfer the investigation.

10. For all the above reasons, both the Criminal Original Petitions are liable to be dismissed and are accordingly dismissed. Consequently, the connected Miscellaneous Petitions are closed.

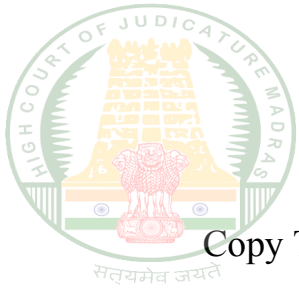
16.09.2025

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Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order



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Copy To:

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- 1.The Superintendent of Police,
Dindugal District,
Tamilnadu.
- 2.The Deputy Superintendent of Police,
Kodaikanal, Dindugal District.
- 3.The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal, Dindugal District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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