



Crl.O.P.(MD) No.22498 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2025

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD) No.22498 of 2025

and

CrI.M.P.(MD) Nos.19384 & 19386 of 2025

K.Jeyarani

... Petitioner

Vs.

The State of Tamil Nadu rep. by
The Inspector of Police,
Thirumaiyam Police Station,
Thirumaiyam, Pudukottai District.
(Crime No.201 of 2023)

... Respondent

Prayer : Criminal Original Petition filed under Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023 to call for the records pertaining to the charge sheet in C.C.No.58 of 2025 on the file of the Subordinate Court, Thirumaiyam, Pudukottai District and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.P.Bhaskar

For Respondent : Mr.S.Ravi
Additional Public Prosecutor



Crl.O.P.(MD) No.22498 of 2025

WEB COPY

ORDER

Seeking to quash the impugned final report in C.C.No.58 of 2025 on the file of the Subordinate Court, Thirumaiyam, Pudukottai District, this Criminal Original Petition has been filed.

2. The facts of the case are that on 11.09.2023, one Ashok, S/o.Palanisamy, a resident of Sethurapatti, who is suspected to be the prime accused, had taken the petitioner's daughter, Jenifer, on his two-wheeler bearing Registration No.TN-55-BH-5682 to a tailoring shop. At about 7.45 p.m., the said Ashok informed the petitioner over the phone that her daughter had fallen from the vehicle, sustained head injuries, and was taken to the Government Hospital, Thirumayam. Thereafter, the petitioner took her daughter to a private hospital at Pudukkottai for better treatment, where she was further advised to admit her daughter to Pudukkottai Medical College Hospital. However, without taking her to the Medical College Hospital, the petitioner was transporting her daughter back to her house, and on the way, she died on 12.09.2023. The petitioner buried her daughter along with her relatives without informing the police or the revenue officials. After a lapse of one week, the petitioner lodged a



Crl.O.P.(MD) No.22498 of 2025

complaint before the respondent police stating that there was suspicion over the death of her daughter, that she might have been killed while travelling with the said Ashok in his two-wheeler.

3. The First Information Report in Crime No.201 of 2023 was registered under Section 174 of the Code of Criminal Procedure, 1973, based on the complaint given by the petitioner. Thereafter, the police filed an alteration report against the said Ashok, altering the offences to Sections 279 and 304(A) of the Indian Penal Code. Subsequently, on the basis of the said complaint, the body of the petitioner's daughter was exhumed in the presence of the Tahsildar and thereafter subjected to post-mortem examination on 29.09.2023. Thereafter, the police filed another alteration report, implicating the petitioner and her other relatives for having buried the dead body without informing the police or the revenue officials prior to lodging the complaint, thereby altering the offences to Sections 279, 304(A), and 201 of the Indian Penal Code. Finally, a final report has been filed, challenging which the present Criminal Original Petition has been filed.



Crl.O.P.(MD) No.22498 of 2025

4. The learned counsel for the petitioner submits that the complaint was lodged by the petitioner as early as 15.09.2023; that however, the police, after conducting the post-mortem, filed the final report only on 29.05.2024; that by siding with the first accused, Ashok, instead of registering a case for the offence under Section 302 of the Indian Penal Code, the police investigated the case in such a manner so as to project it as an accidental death and altered the charge against the first accused, Ashok, to an offence under Sections 279 and 304(A) of the Indian Penal Code, and that only to facilitate the case of the first accused, Ashok, the petitioner and her relatives were roped in, and therefore, prays for quashment of the final report insofar as it relates to the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent categorically submits that the petitioner had suspected the commission of the murder of her daughter by A1 and hence, it is very clear that she believed that an offence had been committed in the case. In that case, it was the bounden duty of the petitioner to hand over the body of her daughter to the authorities concerned once her daughter died on the way while she was being taken back to her house. However, without proceeding to Pudukkottai Medical College for post-mortem examination



Crl.O.P.(MD) No.22498 of 2025

or at least to inform the police or the revenue officials about the death of her daughter, the petitioner buried her daughter with help of her relatives.

Having failed to do so, the offence under Section 201 of the Indian Penal Code, for causing disappearance of evidence of the offence, is made out as against the petitioner/A2 and her relatives/A3 to A10.

6. The issue that arises for consideration in this case is whether the petitioner has committed an offence under Section 201 of the Indian Penal Code. Section 201 of the Indian Penal Code deals with punishment for causing the disappearance of evidence of an offence, or for giving false information to screen the offender. In the present case, the proceedings commenced on the basis of the complaint lodged by the petitioner, who is the mother of the deceased. However, the said complaint was lodged after a lapse of one week, during which period the body was buried. Along with the petitioner, her relatives, who facilitated the burial of the body, were also prosecuted for the said offence. Since the petitioner had believed that the death of her daughter was the result of the commission of murder by the first accused, as rightly pointed out by the learned Additional Public Prosecutor, she ought to have informed the police or the revenue officials, or handed over the body to the authorities for post-mortem examination in



Crl.O.P.(MD) No.22498 of 2025

order to ascertain the truth. Having failed to do so, and having buried the body, thereby causing disappearance of evidence of the offence, the petitioner is liable to be proceeded against for the offence under Section 201 of the Indian Penal Code. Hence, this Court does not find any reason to interfere with the prosecution.

7. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

09.12.2025

JEN

Index : Yes / No

Neutral Citation : Yes / No

Speaking Order / Non-Speaking Order

Copy To:

- 1.The Judge,
Subordinate Court,
Thirumaiyam, Pudukottai District.
- 2.The Inspector of Police,
Thirumaiyam Police Station,
Thirumaiyam, Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.22498 of 2025

L.VICTORIA GOWRI, J.

JEN

Crl.O.P.(MD) No.22498 of 2025

09.12.2025