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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.5343 of 2026
and
CrI.M.P(MD)Nos.6474 & 6475 of 2026

1. Sekar
2. Chandru
3. Vijay

...Petitioners

Vs

1. State of Tamilnadu,
Rep by the Inspector of Police,
Varusanadu,
Theni District.
(Crime No.569 of 2020)

2. Suresh

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records pertaining to the impugned order in S.C.No.15 of 2026 on the file of the Additional District Court, Theni and Quash the same.

For Petitioners : M/s.C.Ramesh

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor for R1
Mr.M.Vijayanand for R2



ORDER

The present petition has been filed by A1 to A3 in S.C.No.15 of 2026, on the file of the Additional District Court, Theni, seeking to quash the charge sheet wherein they are charged with the offence under Section 306 of I.P.C.

2. A perusal of the F.I.R. reveals that the first accused is said to have some illicit affairs with the wife of the defacto complainant. This was objected to by the sons of A1 who are arrayed as A2 and A3. The sons of A1(A2 & A3) have picked up a quarrel with the deceased one month prior to the date of incident. Due to this quarrel, there was a problem within the family of the deceased. The sons of the deceased have stopped talking to her. Therefore, the deceased got depressed and committed suicide by hanging herself.

3. A perusal of the charge sheet further reveals that as if A1 had threatened the deceased that he would expose the photographs in which they were together. It is not known from where the allegation is incorporated in the charge sheet. None of the 161 statements given by the witnesses reveal that A1 had ever threatened the deceased that he is going to expose the photographs.



4. A handwritten suicide note has been recovered from the residence of the deceased which was handed over by the defacto complainant to the police officials and there is a reference about the same in the F.I.R.

5. A perusal of the suicide note clearly reveals that the defacto complainant had sent the deceased back to her parental house due to the fact that she was talking to someone over mobile phone. The suicide note further reveals that A2 and A3 who are the sons of A1 had abused her through mobile phone for having illicit relationship with their father. In view of the said fact, it came to the knowledge of the sons of the deceased and therefore, they had stopped talking to the deceased. This has caused depression and therefore, the deceased had committed suicide.

6. A careful perusal of the F.I.R., the charge sheet and the suicide note would clearly reveal that the deceased had committed suicide because of the fact that her illicit relationship with A1 had got exposed and her family members have stopped talking to her. It has resulted in depression on the part of the deceased and therefore, she had committed suicide. A perusal of the F.I.R. further reveals that A2 and A3 have threatened the deceased one month prior to the date of incident. Therefore, it is clear that there is no proximity with regard



to the threat made out by A2 and A3 and the cause of death of the deceased. In such circumstances, this Court is of the considered opinion that the suicide committed by the deceased is only due to the depression that her extra marital relationship with A1 got exposed among the family members. There is no connection or proximity whatsoever with the threat made out by A2 and A3. There are no materials either in the 161 statement or any other records to show that A1 had ever threatened the deceased person that he would expose the photographs.

7. In such circumstances, when there are no materials whatsoever to prosecute the accused persons and it would be only an abuse of process of law to continue the criminal proceedings as against the petitioners.

8. In view of the above said facts, the charge sheet in S.C.No.15 of 2026, on the file of the Additional District Court, Theni, stands quashed.

9. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are also closed. The joint compromise memo shall form part and parcel of the order.

25.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

1. The learned Additional District Judge,
The Additional District Court, Theni.
2. The Inspector of Police,
Varusanadu,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

RJR

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