



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.02.2026

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CrI.O.P.(MD)No.23171 of 2025

and

CrI.MP(MD)No.20098 of 2025

1.Radha

2.S.T.Raji

3.Navaneethakrishnan

4.Poovarasan

5.Sakthivel

... Petitioners/Accused No.1 to 5

Vs.

1.The State of Tamil Nadu Rep by,
The Inspector of Police,
V.K.Pudur Police Station,
Tenkasi District.
(Crime No.311 of 2025)

... 1st Respondent/Complainant

2.Chandran

... 2nd Respondent/Defacto
Complainant

PRAYER : Petition filed under Section 528 of BNSS, 2023, to call for the records relating to the First Information Report in Crime No.311 of 2025 on the file of the 1st Respondent police and quash the same as illegal insofar as the petitioner is concerned.



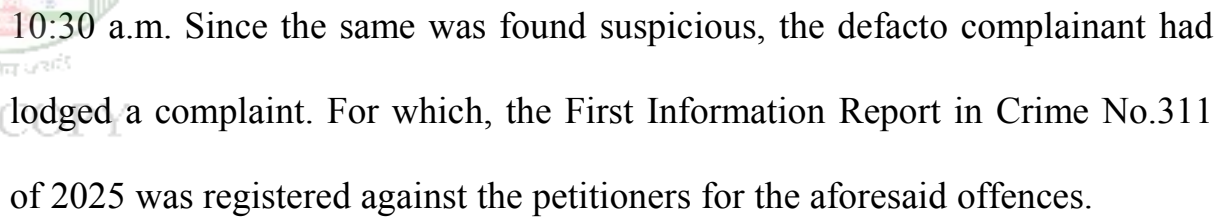
For Petitioners : Mr.P.Manianandh
For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

This petition has been filed to quash the impugned First Information Report in Crime No.311 of 2025 on the file of the 1st Respondent police.

2. The learned counsel for the petitioners submitted that at the instance of the second respondent, Village Administrative Officer, First Information Report was registered against the petitioners in Crime No.311 of 2025 for the offences under Sections 194(1) of BNSS, 2023 & Section 238 of BNS, 2023 on 30.10.2025. Challenging the same, this petition has been filed.

3. The case of the prosecution is that on 30.10.2025, while the defacto complainant was on duty, he was informed that one Rajkumar, son of Duraisamy, aged about 47 years, who is none other than the first petitioner's husband had died suspiciously. In this regard, when he had proceeded to the residence of the deceased person for inquiry, he was informed that the said person died at 06:30 a.m, and his relatives had performed his funeral at about



4. The learned counsel for the petitioners submitted that it is not at all suspicious death and the deceased person had passed away due to heart attack. Following which, the body was kept in the house till 10:30 PM wherein all the relatives had attended and thereafter, body was cremated at about 10:30 PM.

5. The narrative of the prosecution is that the deceased has committed suicide because of the love marriage of his daughter. However, he pointed out that the date of death of the deceased person is 30.10.2020 and the date of marriage of his daughter was in the year 2022 and hence, the same cannot be interconnected and the entire prosecution narrative is not sustainable and sought for allowing the petition.

6. Per contra, the learned Government Advocate (Crl.Side) appearing for the first respondent relied upon the counter affidavit filed by the 1st respondent categorically contended that it is a clear case of suspicious death where the deceased had died by hanging himself and the same could be clearly



substantiated from the statement obtained from L.W.11, Vaithiyalingam, who had given clear statement that he brought down the body from the hanging position along with one Palkani, L.W.18. In the presence of such substantiating statements obtained from the reliable witnesses, there is substance in the complaint lodged by the 2nd respondent and the matter has to be tested before the Trial Court and sought for dismissal of the petition.

7. Heard both sides and perused the materials available on record.

8. No doubt, all the petitioners are the family members and relatives of the deceased Rajkumar, son of Duraisamy. This Court has keenly observed that the petitioners have filed the affidavit stating that the funeral was conducted at 10:30 PM on the fateful day of 30.10.2020. However, a careful reading of the records would make it clear that the person died on 6.30 AM and was cremated at 10:30 AM. This itself would clearly show that the petitioners have not approached this Court with clean hands in the presence of clear witnesses, who already have given proper statements under Section 161(3) Cr.PC to the first respondent Police as to the factum of having removed the body of the deceased from the hanging position. I find material in the first information report registered by the 1st respondent police as against the petitioners.



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9. A perusal of the final report and the materials placed on record certainly *prima facie* reveal the involvement of the petitioners in the alleged occurrence. The statement of the witnesses, if accepted as they stand, would clearly disclose the essential ingredients of the offences alleged. Hence, the interference at this stage would amount to conducting a mini trial which is impermissible in the proceedings under Section 482 Cr.PC/528 BNSS. when the prosecution registered the First Information Report, the person should be permitted to continue the investigation.

10. This court is not inclined to quash FIR at the very initiation of the investigation. Accordingly, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

11. However, the first respondent police is directed to conclude the investigation in Crime No.311 of 2025 as expeditiously as possible within a period of 2 months from the date of receipt of a copy of this order.

10.02.2026

NCC : Yes / No
Index : Yes / No
dss



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L.VICTORIA GOWRI, J.

dss

TO:-

1. The Inspector of Police,
V.K.Pudur Police Station,
Tenkasi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
CrI.O.P.(MD)No.23171 of 2025
and
CrI.MP(MD)No.20098 of 2025

Dated
10.02.2026