

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2025
@ SPECIAL LEAVE PETITION (CRIMINAL) NO.9099 OF 2024

THANGAVEL

APPELLANT

VERSUS

THE STATE, THROUGH INSPECTOR OF POLICE & ANR.

RESPONDENTS

R1: THE STATE, THROUGH INSPECTOR OF POLICE

R2: MARIMUTHU

O R D E R

Heard the learned counsel for the parties.

2. Leave granted.

3. The present appeal is filed against the order dated 14.06.2024 passed by the High Court of Judicature at Madras in Cr1.R.C. No.682 of 2024 by which prayer of the appellant for discharge has been rejected.

4. The appellant was accused in FIR No.01/2014 registered by CBCID for the offences punishable under Sections 306 of the Indian Penal Code, 1860 ("IPC") and 174 of the Code of Criminal Procedure, 1973. However, charges were framed against him under Section 306 of the IPC. Challenge to the same before the High Court was negated.

5. Learned counsel for the appellant submits that an incident occurred where the appellant being a correspondent for the management, being in-charge of running a school and

hostel, where an incident is said to have been occurred and in relation to which allegation was made by another student against the deceased, based on which the appellant had scolded the deceased due to which the deceased had locked himself in a room and hanged himself with a nylon rope. It was submitted that the response of the appellant being the correspondent was justified and it was just a chiding as a guardian to ensure that the deceased did not repeat the offence and there was peace and tranquility in the hostel. It was further submitted that there was nothing personal between the appellant and the deceased and only on a complaint by another student, such reprimanding was meted out to the deceased. It was further contended that except for this, no other role has been attributed to the appellant and the appellant could not, even in his wildest dreams, have imagined that such scolding would lead to the deceased taking his life and thus, there was absolutely no criminal intent much less to cause the deceased to take his life.

6. Learned Senior Counsel for the State of Tamil Nadu fairly submits that there does not appear to be any valid ground for charging the appellant under Section 306 of the IPC.

7. Despite valid service of notice, respondent No.2, who is the complainant and father of the deceased student, has not appeared in the present proceedings.

8. Having considered the matter in its entirety, we find it a fit case for interference. As has rightly been submitted

by learned Senior Counsel for the appellant, no normal person could have imagined that a scolding, that too based on a complaint by a student, would result in such tragedy due to the student so scolded taking his own life. Further, as submitted, such scolding was the least, a correspondent was required to do, to ensure that the complaint made against the deceased by another student was taken note of and remedial measures effected. In the considered opinion of this Court, under such admitted factual position, no *mens rea* can be attributed to the appellant much less, with regard to abatement of suicide committed by the deceased.

9. Accordingly, the appeal is allowed. The order framing charge against the appellant under Section 306 of the IPC in connection with FIR No.01/2024 registered by CBCID stands set aside. The appellant stands discharged in the said case.

10. Pending application(s), if any, shall stand disposed of.

.....J.
(AHSANUDDIN AMANULLAH)

.....J.
(PRASHANT KUMAR MISHRA)

NEW DELHI;
MAY 22, 2025.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave Petition to Appeal (Cr1.) No.9099/2024

THANGAVEL

Appellant(s)

VERSUS

THE STATE, THROUGH INSPECTOR OF POLICE & ANR.

Respondent(s)

IA No. 147746/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 147747/2024 - EXEMPTION FROM FILING O.T.

Date : 22-05-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRAFor Appellant(s) : Mr. Gaurav Agarwal, Sr. Adv.
Mr. Mayank Pandey, AOR
Mr. Ashish Kumar Pandey, Adv.
Mr. Arun, Adv.
Mr. Ankur Singhal, Adv.For Respondent(s) : Mr. Amit Anand Tiwari, AAG
Mr. Sabarish Subramanian, AOR

Mr. Beno Bencigar, Adv.
Mr. S.P. Kashyap, Adv.
Mr. Parijat Kishore, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

2. The appeal stands allowed in terms of the signed order placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(NEHA GUPTA)
SENIOR PERSONAL ASSISTANT(ANJALI PANWAR)
COURT MASTER (NSH)