

Crl.OP(MD).No.22807 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

ORDER RESERVED ON : 10.07.2026

ORDER PRONOUNCED ON : 17.07.2026

CORAM

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

**Crl.O.P(MD).No.22807 of 2025
and Crl.MP(MD).No.19730 of 2025**

1.Dr.S.Rajarajan
Assistant Professor -III
School of computing
SASTRA Deemed University
Thanjavur 613 401

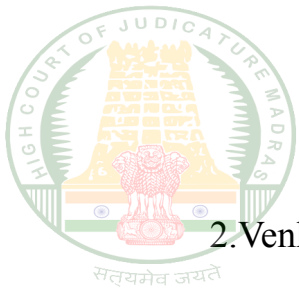
2.Dr.V.S.Shankar Sriram
Dean School of Computing
SASTRA Deemed University
Thanjavur 613 401

3.The Management represented by its
Registrar
Dr.R.Chandramouli
SASTRA Deemed University
Thanjavur 613 401

...Petitioners/Accused Persons

Vs

1.The State of Tamil Nadu
Represented by the Inspector of Police
Vallam Police Station
Thanjavur
Crime No.627 2025.



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2.Venkata Narayana Angina

....Respondent/Complainant

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Prayer: Petition is filed under Section 528 of BNSS, 2023, to call for the records in Crime No.627 of 2025 on the file of the first respondent police and quash the same as abuse of process.

For Petitioner

: Mr.Sharath Chandran
Senior Counsel
For S.S.Sakthi Siddharth

For Respondents

: Mr.P.Samuel Gunasingh
Government Advocate (Crl.side)
For R1

:Mr.R.R.Kannan for R2

ORDER

The present petition has been filed by the accused persons in Crime No.627 of 2025 on the file of the first respondent police seeking to quash the F.I.R wherein they are charged to have committed an order under Section 110 of BNS, 2023.

(A).Factual Matrix:

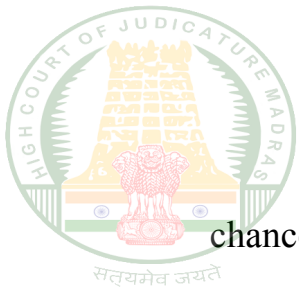
2. A perusal of the F.I.R reveals that the defacto complainant's son was studying 3rd year B.Tech (CSE) in the 5th semester at Sastra University, Thanjavur. The defacto complainant had received a phone call at about 3.55 p.m from one of a professor that his son had jumped from the 4th floor of the boys hostel and he is admitted to Thanjavur Government Hospital in a



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critical condition. The defacto complainant reached the Government Hospital at 11.55 p.m on the same day and shifted his son to Meenakshi Hospital, Thanjavur at about 1.00 a.m on 08.11.2025. It is alleged in the F.I.R that his son is meritorious and disciplined student securing over 94% in both 10th and 12th classes and clearing the UPSC NDA exam up to the final interview and gained admission to Sastra University purely on merits. It is further alleged that the defacto complainant's sons had cleared a multinational company's recruitment written test and interview and was among the top 17 students selected for a prestigious research program in Japan Hiroshima University through an internal university interview process.

3.In the F.I.R it is further alleged that the defacto complainant gained knowledge from his son's fellow student that on 07.11.2025 between 11.30 a.m and 2.00 p.m, during his laboratory examination for the 5th semester, the first accused had accused his son of malpractice without any reason. He allegedly humiliated and mentally harassed his son. Accused No.1 has removed the defacto complainant's son from the examination hall and presented him before the 2nd accused who is the Dean of the said University. The 2nd accused is alleged to have scolded and mentally harassed and even attempting to assault the student. Accused Nos.1 and 2 have threatened his son that his lab examination and all forthcoming semester examinations would be marked as failed. His son's research opportunity and placement



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chances would be cancelled.

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4. In view of the above said harassment, his son got distressed and humiliated and returned to the lab examination and requested the invigilator to allow him to rewrite the paper to prove his innocence. However, the said request was rejected. This incident has led to extreme mental trauma. It is further alleged that the University administration failed to inform the parents immediately after the incident and delayed the communication much later. It is further alleged that another student also made a suicide attempt indicating serious negligence and mental health safeguards by the college authorities.

5. The defacto complainant had further stated that it is evident that the mental harassment, abuse of authority and negligence and the Invigilator, Dean and the Registrar of University (A1 to A3) has led to his son's suicide attempt.

6. Based upon the said complaint, an F.I.R has been registered under Section 110 of BNSS. Challenging the same, the present petition has been filed seeking to quashing of the F.I.R.

(B).Submissions of the learned counsel appearing on either side:

7. According to the learned Senior Counsel appearing for the petitioners, the defacto complainant's son has given a letter to the Dean on the date of examination admitting that he was using a Chat GPT over his smart phone and he had apologised for his misbehaviour. He further submitted that



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the malpractice form has been filled up by the student himself and he apologized for his behaviour. The Invigilator who found out the said malpractice had brought him to the office of the Dean and after being chided, he was permitted to continue with the examination. After uploading answer, at 1.30 p.m, the student had left the examination hall. Two hours thereafter, the student had made an attempt to commit suicide.

8.The learned Senior Counsel appearing for the petitioners had further submitted that the Invigilator of the hall has found that the defacto complainant's son was hiding his smart phone between his thighs and copying the same while answering the questions. In such circumstances, the act of the Invigilator or the Dean could not be found fault with. In fact, the student was permitted to continue with his examination and he had completed the said paper at about 1.30 p.m. Therefore, the allegation in the F.I.R is completely false. The Registrar of the University who has been arrayed as A3, has nothing to day with the said incident.

9.According to the learned Senior Counsel, the parents was duly informed and they reached Thanjavur during mid-night hours and they shifted the student to a private hospital. The Senior Counsel had relied upon Section 110 of BNS 2023 and contended that by no stretch of imagination, the act of the Invigilator, Dean and the Registrar can be considered to have been done with an intention or knowledge that the act would cause death and he would



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be guilty of culpable homicide not amounting to murder. The Invigilator and the Dean only chided the student and permitted the student to continue with the examination after recording the malpractice. Therefore, viewed from any angle, Section 110 of BNS cannot be invoked and the ingredients have not been satisfied.

10.Per contra, the learned counsel appearing for the defacto complainant submitted that on false allegations, his son was humiliated and he was not permitted to continue with the examination. His son was wantonly implicated and due to the negligence, they failed to provide safety to the students. He further submitted that his son suffered mental harassment, abuse of authority and negligence on the part of the University management. He relied upon a decision of the Hon'ble Supreme Court reported in **(2025) 3 SCC (Cri) 729 (Amit Kumar and others Vs. Union of India and others)** and submitted that institutions have been mandated to promptly lodge an F.I.R relating to the unfortunate incident of students' suicide. However, in the present case, the incident has taken place on 07.11.2025, the father/defacto complainant had lodged a complaint only on 10.11.2025. Till such time, the College has not chosen to lodge any complaint.

11.The learned counsel for the defacto complainant had relied upon a decision of the Hon'ble Supreme Court reported in **2026 INSC 62 (Amit Kumar & others Vs. Union of India & others)** in paragraph Nos. 24, 43 and



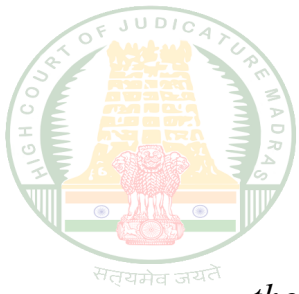
45 is held as follows:

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“24. The transition from school to university is a phase in young adulthood that brings with it some unique responsibilities, challenges and difficulties but without proper support systems. During the NTF’s institutional visits, many students shared how they go from being academically exceptional to one of many over-achievers at their college/university. This combined with the institutional culture which persistently creates anxiety and heightened stress levels to compete and excel, brings about a sharp rise in mental health issues.

43. However, if we are to keep student well-being in HEIs at the forefront, we would have to close these gaps, with the help of the NTF and the Union of India, and put all HEIs to notice that non-compliance will carry some commensurate and serious consequences. We have taken such a firm view also considering that a majority of the HEIs have not even shown any initiative in doing the bare-minimum i.e., providing relevant information by responding to the online survey conducted by the NTF, despite several reminders given on behalf of the Union of India. We are deeply disappointed with the apathetic attitude of most HEIs, which serve as a reminder of the deep-rooted complexities and formidable barriers that hinder the implementation of any national-level initiative aimed at strengthening student mental health support systems within HEIs.

45. Keeping in view the recommendations of the NTF, we deem it fit to issue the following directions in exercise of our plenary powers under Article 142 of the Constitution of India:



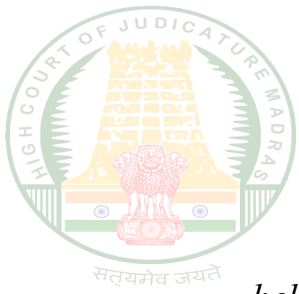
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i. *The Sample Registration System data on Suicides, especially those falling within the age group of 15-29 years, must be centrally maintained for better and more accurate estimates of Deaths by Suicide of students in HEIs. The mechanisms for obtaining and maintaining the same, may be developed with the help of experts in the field of public health and demography.*

ii. *The NCRB, in its annual report, must distinguish between school-going students and students of higher education in its categorisation of “student suicides” in order to aid the study of the trends of student suicides in HEIs.*

iii. *All HEIs must report any incident of suicide or unnatural death of a student, regardless of the location of its occurrence (i.e. on campus, hostels, PG accommodations, or otherwise outside the institutional premises), to the police authorities no sooner they come to know about the incident. This should cover all students - irrespective of whether they are studying in the classroom, distance or online mode of learning.*

iv. *In addition to the above, an annual report of student suicides or unnatural deaths must also be submitted to the UGC & all other relevant regulatory bodies for professional courses (e.g. AICTE, NMC, DCI, BCI etc.). In case of Central Universities and Institutes of National Importance (for short, the “INIs”), or any HEI that does not fall within the above-mentioned framework, it must be reported to the Department of Higher Education, Ministry of Education, Government of India.*

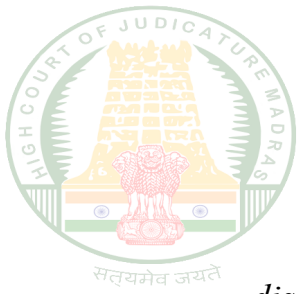


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v. *Every residential HEI must have access to qualified medical help round the clock, if not on campus, then within a one-km radius to provide emergency medical health support to students.*

vi. *Keeping in mind the faculty shortages which have been reported in several HEIs, both public and private, it must be ensured that all vacant faculty positions (both teaching and non-teaching) be filled within a period of four months, with priority given to posts reserved for candidates from marginalized and underrepresented communities including those posts reserved for PwDs. Special recruitment drives may be held for faculty recruitment that come under various forms of reservations as per central and state government rules.*

vii. *Appointment and filling of vacancies of the post of Vice-Chancellor, Registrars, and other key institutional/administrative positions, must also be made within a period of four months. Moreover, it must be ensured as a matter of practice that, these positions are filled within a period of one month from the date on which the vacancy arises, in order to ensure the smooth functioning of HEIs. Since the date of retirement is known much ahead in time, recruitment processes must begin well in advance to ensure that such posts do not remain vacant for more than a month. All HEIs must report on an annual basis to the Central and relevant State Governments, as to how many reserved posts are vacant, how many are filled, reasons for non-filling, time taken, etc., so that periodic accountability is ensured.*



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viii. *The backlog of any and all pending scholarship disbursements must be cleared within a period of four months by the relevant Central and State government authorities. If there exists any reason behind the non-disbursal of the same, a notice with reasons must be sent to the relevant HEI along with the student recipient, within a period of two months. It must be ensured that the disbursement of all future scholarships are done with clear timelines, without any delay by the relevant Central and State Government authorities. Disbursal dates and schedules must also be made known to the student recipient. Even in cases of unavoidable administrative delay, HEIs must not, as a policy, make the student recipients accountable for paying or clearing their fees. No student should be prevented from appearing in an examination, removed from hostels, barred from attending classes, or have their marksheets and degrees withheld because of delays in disbursal of scholarships. Any such institutional policy, may be viewed strictly.*

ix. *All HEIs, are particularly put to strict notice, to remain fully compliant with all the regulations that have a binding effect on them including inter-alia the UGC Regulation on Curbing the Menace of Ragging in Higher Educational Institutions, 2009; the UGC (Promotion of Equity in Higher Educational Institutions) Regulations, 2012; the UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2016; the UGC (Redressal of Grievances of Students) Regulations, 2023, amongst others. More, particularly, the establishment of Anti-Ragging Committees and Anti-Ragging Squads, Anti-Discrimination Officers, Internal*



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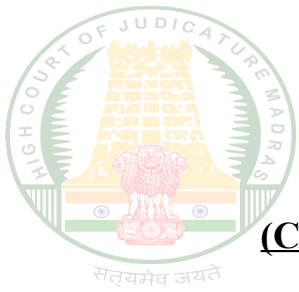
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Complaints Committees and Student Grievance Redressal Committees along with the procedures detailed for the respective grievance redressal mechanisms, must be strictly adhered to.”

12.The learned counsel for the defacto complainant had submitted that the Hon'ble Supreme Court has taken a serious view with regard to the student's suicide in the educational institution premises. He also relied upon a judgment of the Hon'ble Supreme Court reported in **2008 (4) CTC 745 (Lakhwant Singh Vs. Jasbir Singh and others)** and contended that inherent power of the High Court can be used only in certain circumstances and not for quashing of the F.I.R when the investigation is not completed. He further submitted that when materials on record are incomplete, the Court could not exercise its jurisdiction under Section 482 of Cr.P.C. Hence, he prayed for dismissal of the petition.

13.The Government Advocate (Crl.side) appearing for the respondent police produced the case files and pointed out that during investigation, the statement of the Professor and the student who was writing examination along with the victim boy has also been recorded. He had further submitted that they would complete the investigation as expeditiously as possible.

14.Heard the learned counsel appearing on either side and perused the material records.



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(C).Discussion:

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15.The allegation in the F.I.R reveals that the Defacto Complainant's son was a student in the Sastra University and he is alleged to have been involved in malpractice during examination and he had submitted an apology letter and filled up the malpractice form and has also signed the same. The apology letter and the malpractice form signed by the concerned student are not disputed by the defacto complainant.

16.The respondent police have recorded a statement from another student by name Kishore under Section 161 (3) Cr.P.C. He had stated that after the boy was caught by the Invigilator and chided by the Dean, he was permitted to continue with the examination and permitted to complete the same at 1.30 p.m. Therefore, it is clear that the victim boy was permitted to continue with the examination.

17.The victim boy had left the college premises at about 1.30 p.m and had made an attempt to commit suicide at about 3.30 p.m in the hostel premises on 07.11.2025.The petitioners herein are alleged to have committed offence under Section 110 of BNS, 2023.

18.For better appreciation Section 100 and 110 of BNS, 2023 are extracted as follows:

“100. Culpable homicide.—Whoever causes death by doing an act with the intention of causing death, or with the intention of causing



such bodily injury as is likely to cause death, or with the knowledge that he is likely by such act to cause death, commits the offence of culpable homicide.

Illustrations.

(a) A lays sticks and turf over a pit, with the intention of thereby causing death, or with the knowledge that death is likely to be thereby caused. Z, believing the ground to be firm, treads on it, falls in and is killed. A has committed the offence of culpable homicide.

(b) A knows Z to be behind a bush. B does not know it. A, intending to cause, or knowing it to be likely to cause Z's death, induces B to fire at the bush. B fires and kills Z. Here B may be guilty of no offence; but A has committed the offence of culpable homicide.

(c) A, by shooting at a fowl with intent to kill and steal it, kills B, who is behind a bush; A not knowing that he was there. Here, although A was doing an unlawful act, he was not guilty of culpable homicide, as he did not intend to kill B, or to cause death by doing an act that he knew was likely to cause death.

Explanation 1.—*A person who causes bodily injury to another who is labouring under a disorder, disease or bodily infirmity, and thereby accelerates the death of that other, shall be deemed to have caused his death.*

Explanation 2.—*Where death is caused by bodily injury, the person who causes such bodily injury shall be deemed to have caused the death, although by resorting to proper remedies and skillful treatment the death might have been prevented.*

Explanation 3.—*The causing of the death of a child in the*



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mother's womb is not homicide. But it may amount to culpable homicide to cause the death of a living child, if any part of that child has been brought forth, though the child may not have breathed or been completely born.

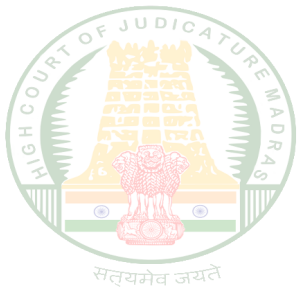
110. Attempt to commit culpable homicide.—Whoever does any act with such intention or knowledge and under such circumstances that, if he by that act caused death, he would be guilty of culpable homicide not amounting to murder, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both; and, if hurt is caused to any person by such act, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

Illustration

A, on grave and sudden provocation, fires a pistol at Z, under such circumstances that if he thereby caused death, he would be guilty of culpable homicide not amounting to murder. A has committed the offence defined in this section.”

19.The Hon'ble Supreme Court in judgement reported in **(1998) 8 SCC 557 (Sunil Kumar Vs.N.C.T. Of Delhi)** in paragraph No.4 has held as follows:

“4.The view taken by the High Court is obviously erroneous because offence punishable under Section 308 IPC postulates doing of an act with such intention or knowledge and under such circumstances that if one by that act caused death, he would be guilty of culpable homicide not amounting to murder.....”



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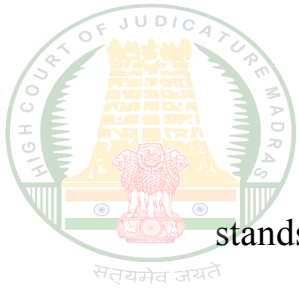
20. In view of the judgment of the Hon'ble Supreme Court it is clear that unless the act was done such an intention or knowledge that it is likely to cause death, a person cannot be found guilty of culpable homicide. In the present case, the Hall Invigilator, the Dean and the Registrar of the University can never be said to have any intention or knowledge that the student would commit suicide if he is reprimanded for his malpractice in the examination hall.

21. The petitioner is alleged to have been caught while indulging in malpractice in the examination hall and he has been reprimanded which has led to an attempt to commit suicide. Therefore, the judgment cited by the petitioners are not applicable to the facts of the present case.

22. In such circumstances, it is clear that the ingredients of Section 110 of BNS 2023 have not attracted. The hall Invigilator, the Dean and the Registrar of the University have been roped in under Section 110 of BNS, 2023 for reprimanding the student who is alleged to have been indulged in malpractice during semester exams.

(D).Conclusion:

23. In such circumstances, continuation of the criminal proceedings as against the petitioners would only be an abuse of process of law. Hence, the F.I.R. in Crime No.627 of 2025 on the file of the first respondent police



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stands quashed. This Criminal Original Petition is allowed. Consequently,
connected miscellaneous petition is closed.

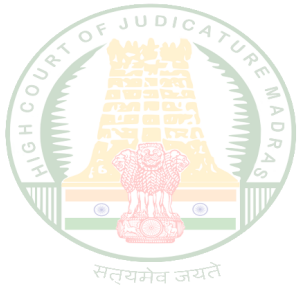
17.07.2026.

Internet : Yes/No
Index : Yes/No
NCC : Yes/No
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To

1.The Inspector of Police
Vallam Police Station
Thanjavur
Crime No.627 2025.

2.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai



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