



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Thirtieth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11214 of 2015

V.KANDASAMY

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
KULATHUR POLICE STATION,
THOOTHUKUDI DISTRICT.
CR. NO. 92 OF 2015.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.V.RAJIV RUFUS Advocate

For Respondent : MR.K.V.RAJARAJAN,
Govt. Advocate (Crl. Side)

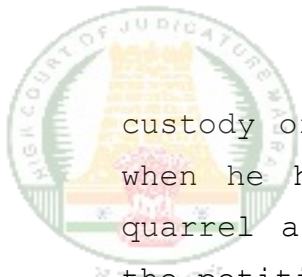
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner/sole accused apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 306 I.P.C. in Crime No.92 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.According to the defacto complainant namely Varathalakshmi, her daughter was married to the accused and for the past one year they are living apart and her daughter was working at Government Hospital, Thoothukudi and her son-in-law accused used to go there in an inebriated mood and quarrelled with her and therefore on 09.05.2015, she committed suicide by consuming hair dye.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that in the 161 (3) Cr.P.C statement given by the defacto complainant, it is stated that on 08.05.2015 at 10.00 a.m., the accused had gone to the Government

[https://hcservices.courts.gov.in/hcservices/](https://hcservices.courts.gov.in/hcservices/https://hcservices.courts.gov.in/hcservices/)
Hospital, Thoothukudi and abused the deceased in filthy language and also threatened her and that was not mentioned in the complaint. It is further submitted that the petitioner's children were in the



custody of the deceased and he used to give maintenance to them and when he had gone to the house of the deceased in the year 2014, quarrel arose between them and a false complaint was given against the petitioner, which is registered in Crime No.90 of 2014.

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4. Per contra, the learned Government Advocate(Crl. Side) submitted that the petitioner is a drunkard and he often goes to the Government Hospital and abused his wife in filthy language and also harassed her, which led to suicide on 09.05.2015.

5. Considering the nature of allegation made against this petitioner, this Court is of the view that the petitioner is not entitled for anticipatory bail and hence, this Criminal Original Petition is dismissed.

sd/-
30/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SUB INSPECTOR OF POLICE
KULATHUR POLICE STATION, THOOTHUKUDI DISTRICT.

+1. CC to M/S.V.RAJIV RUFUS Advocate SR.No.34799

akm/02.07.15 /2p-4c/

ORDER
IN
CRL OP(MD) No.11214 of 2015
Date :30/06/2015