



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

Monday, the Thirtieth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22581 of 2015

S.MICHAEL RAJ

... PETITIONER/ACCUSED NO.2

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
VADIPATTI POLICE STATION,
VADIPATTI, MADURAI DISTRICT.
CRIME NO. 407/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S G.THIAAGARAJAN Advocate

For Respondent : MR.P.KANNIDEVEN, Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

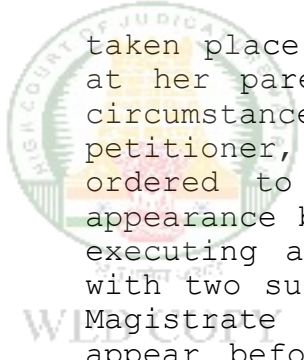
The petitioner, who is arrayed as accused No.2, in Crime No.407 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 306 I.P.C. (formerly 174(3) Cr.P.C.) and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the deceased are husband and wife and their marriage is love marriage. Due to the torture given by the petitioner and his mother, the deceased aborted 5 months pregnancy and due to the same, she committed suicide and on a complaint given by the defacto complainant, a case has been registered.

3. The case of the petitioner is that the petitioner and his mother did not torture the deceased and the deceased's parents did not approve the marriage between the petitioner and the defacto complainant and they are pressurising her to marry one of their relatives. Only because of that, the deceased committed suicide. The incident took place only in the house of her parents. The allegation against the petitioner and his mother is that they tortured the deceased on 30.07.2015 and due to that she committed suicide on 28.08.2015, which is baseless. The petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate(Crl.Side) submitted that at the instigation of the petitioner, the deceased committed suicide and originally the case has been registered under Section 174(3) Cr.P.C. and subsequently, it was altered into Section 306 I.P.C. and the investigation is pending.

5. From the materials available on record, it is seen that the petitioner and his mother abused the deceased stating that "only if you die, the petitioner can marry another girl". The alleged incident was



taken place on 30.07.2015 and the deceased consumed poison on 28.08.2015 at her parents' house and died on 30.08.2015. Considering the above circumstances, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, T.Vadipatti and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
30/11/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, T.VADIPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, VADIPATTI POLICE STATION, VADIPATTI, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S G.THIAGARAJAN Advocate SR.No.68256

CSL/PM/SAR-I/02.12.2015/2P/6C

ORDER
IN
CRL OP(MD) No.22581 of 2015
Date :30/11/2015