



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

Wednesday, the Ninth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23323 of 2015

1 MANAVALAN
2 CHANDRAN
3 KASI

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
B1 NAGAR POLICE STATION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
CRIME NO.219/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S D.SHANMUGARAJA SETHUPATHI Advocate
For Respondent : MR.K.ANBARASAN, Government Advocate (Crl. Side)

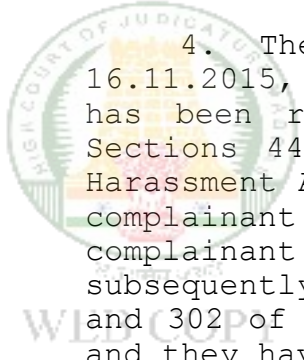
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 to 4, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 323 and 302 of IPC in Crime No.219 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the daughter of the de facto complainant, who was studying Higher Secondary in Syed Ammal Higher Secondary School at Ramanathapuram, had love affair with one Saravanan and on knowing this fact, the villagers excommunicated the de facto complainant and her daughter. Subsequently, on 23.11.2015 at 5.30 am, the daughter of the de facto complainant was found dead in her house and therefore, the present case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the daughter of the de facto complainant viz., Shalini and one Saravanan, neighbouring village, were in love. On 16.11.2015, when the de facto complainant was not in her house, the villagers saw the daughter of the complainant and Saravanan together in her house and they scolded the said Saravanan and then he left the place. Subsequently, the de facto complainant has given a complaint against the said Saravanan and the same has been registered in Crime No.213 of 2015, for the offences under Sections 448 of IPC r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act. In such circumstances, on 23.11.2015 at 5.30 pm, the daughter of the de facto complainant viz., Shalini was found dead in her house. Subsequently, the de facto complainant has given the present complaint.



4. The learned counsel further submitted that originally, on 16.11.2015, the mother of the deceased has given a complaint and a case has been registered in Crime No.213 of 2015, for the offence under Sections 448 of IPC r/w. Section 4 of Tamil Nadu Prohibition of Women Harassment Act. Subsequently, on 23.11.2015, the daughter of the de facto complainant was found in suspicious death and thereafter, the de facto complainant has given the present complaint under Section 174 Cr.P.C and subsequently, the offence has been altered into one under Sections 323 and 302 of IPC. He further submitted that the petitioners are innocent and they have been falsely implicated in this case.

5. The learned Government Advocate (Crl. Side) submitted that A1 was arrested and he is in judicial custody. He further submitted that A1 attacked the daughter of the de facto complainant, due to which she sustained stomach injury and the accused have also threatened the de facto complaint and her daughter and subsequently, due to the said injury, she died and hence, prays for dismissal of this petition.

6. Considering the gravity of offence and the charges levelled against the petitioners and also considering the fact that A1 is still in judicial custody, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the Criminal Original Petition is dismissed.

sd/-
09/12/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE INSPECTOR OF POLICE, B1 NAGAR POLICE STATION,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.23323 of 2015
Date :09/12/2015

NS/GSV-AN/SAR-I/14.12.2015
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