



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

Thursday, the Tenth day of December Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.23450 of 2015

BALACHANDRAN

.. PETITIONER / ACCUSED No.1

Vs

STATE REP.BY THE INSPECTOR OF POLICE
EMANESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 152 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.MALAIKANI Advocate

For Respondent :MR.K.ANBARASAN Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/first accused, was arrested and remanded to judicial custody for the alleged offences punishable under Sections 306 r/w 116, 498(A) and Section 387 (NP) of IPC, in Crime No.152 of 2015 on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the defacto complainant/deceased and the petitioner got married before 16 years which was love marriage. Out of their wedlock, two daughters were born. While so, the first accused developed illegal intimacy with the second accused who was working as Village Assistant. On 03.11.2015 at 11.00 a.m, the petitioner forced the defacto complainant/deceased to take poison and obtained her signature as if she took poison on her volition. The case has been registered for the aforesaid offences in Crime NO.152 of 2015 and the deceased died in the hospital in Madurai on 08.11.2015.

3.The case of the petitioner is that the petitioner is an innocent person and his name has been falsely implicated due to family dispute and the deceased took poison on her own and only at the instigation of her parents, she gave complaint in the hospital.

4. The learned Government Advocate(Crl.side) submitted that the two daughters of the deceased are with their maternal grand parents and due to illegal intimacy with the second accused, the petitioner forced her to take poison and subsequently she died in the hospital. The learned Government Advocate further submit that the second accused in this case is absconding and investigation is pending.



5.Considering the gravity of the offence and considering the fact that the second accused is absconding, I am not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-
10/12/2015

WEB COPY

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,EMANESWARAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 3. THE OFFICE INCHARGE, DISTRICT JAIL RAMANATHAPURAM
- +1. CC to M/S S.MALAİKANI Advocate SR.No.70965

ORDER
IN
CRL OP(MD) No.23450 of 2015
Date :10/12/2015

GJM/PM/SARI.11.12.2015-2p-5c