



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twelfth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.380 of 2015

A.MARIMUTHU

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT.
CR. NO. 1270 OF 2014.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.THALAIMUTHARASU Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.1270 of 2014 on the file of the respondent police for offences under Section 302 of the Indian Penal Code, the petitioner is now before this Court seeking Anticipatory Bail.

2. The case of the prosecution is that this petitioner and the deceased got married some 8½ years back and they blessed with three children and the eldest daughter is living in the paternal uncle's house. On the date of incident, namely, on 01.12.2014, it is seen that the wife of the petitioner died on account of immolation.

3. The learned counsel for the petitioner that the petitioner has also sustained 30% burn injuries and produced photographs to show the burn injuries.

4. On the contrary, it is seen that the son of the petitioner, who is about 8 years old, has given a statement to the police, in which, he has stated that he saw his father pouring kerosene on his mother and set fire. The police had made a requisition to the learned Judicial Magistrate, Kovilpatti, for recording the statement under Section 164 Cr.P.C. of the boy. Under such circumstances, this is not a fit case for grant of anticipatory bail and accordingly, the same is dismissed.

sd/-

12/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, KOVILPATTI, THOOTHUKUDI DISTRICT.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 4 THE INSPECTOR OF POLICE, KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT.

ORDER IN

CRL OP(MD) No.380 of 2015

Date :12/01/2015