



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

Thursday, the Twenty Eighth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13159 of 2016

1 SANKARANARAYANAN
2 CHELLAMMAL

... PETITIONERS/ACCUSED NOS.1&2

Vs

STATE REP BY
THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION, TIRUNELVELI DISTRICT.
(CRIME NO.581/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S T.SELVAN Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

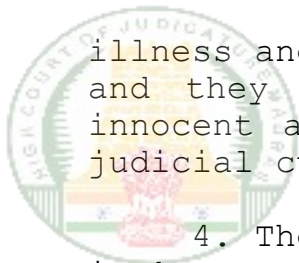
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.1 and 2, who were arrested and remanded to judicial custody on 14.05.2016 for the alleged offences punishable under Sections 294(b), 302 and 506(ii) of I.P.C., and Sections 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Amendment Act, 2015 in Crime No.581 of 2016, on the file of the respondent police and hence, seek bail.

2. The case of the prosecution is that the petitioners went to the de-facto complainant's house and enquired about the whereabouts of the brother of the deceased, who eloped with the petitioners' daughter. The deceased came out of the house and informed the petitioners that she did not know about the whereabouts of her brother. At that time, the first petitioner attacked the deceased with aruval and on her crying, the de-facto complainant came out of the house and found that the first petitioner, at the instigation of second petitioner, was attacking the deceased with aruval and second petitioner instigated the first petitioner by shouting to murder the deceased. On complaint, case has been registered against the petitioners for the aforesaid offences.

3. The case of the petitioners is that the petitioners are husband and wife and the first petitioner is suffering from mental



illness and the petitioners are no way connected with the occurrence and they are searching for their daughter. The petitioners are innocent and they have not murdered the deceased and they are in judicial custody from 14.05.2016.

4. The learned Government Advocate (Crl.side) submitted that it is honour killing and the second petitioner already filed Crl.O.P. (MD).No.11878 of 2016 and the same is pending. Suppressing that, the petitioners have come out with the present petition. The petitioners' daughter eloped with the brother of the deceased. Due to that fact, the first petitioner attacked the deceased and the second petitioner was encouraging him to attack the deceased. Now, the de-facto complainant and his family members are not residing in their residence due to fear and they went to Vallanadu and they are residing there and they are given protection by the police. If the petitioners are enlarged on bail, they will threaten the witnesses and hamper the investigation.

5. Considering the gravity of the offence and serious allegations made against the petitioners and the investigation is pending and suppressing the fact that already the second petitioner filed Crl.O.P.(MD).No.11878 of 2016, this petition is filed, this Court is not inclined to enlarge the petitioners on bail. Accordingly, this Criminal Original Petition is dismissed.

sd/-
28/07/2016

/ 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 SUPERINTENDENT
CENTRAL JAIL, PALAYAMKOTTAI
- 3.THE OFFICER-IN-CHARGE
SUB-JAIL, KOKKIRAKULAM, TIRUNELVELI DISTRICT
- 4.THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION, TIRUNELVELI DISTRICT.

+1. CC to M/S T.SELVAN Advocate SR.No.40960
RL/6C/2P/SK/SKN/SARI/11/8/2016

ORDER
IN
CRL OP (MD) No.13159 of 2016
Date :28/07/2016