



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.18064 of 2017

SUTHA

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
IN CRIME NO.543 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.SASIKUMAR Advocate

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

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

ORDER : The Court Made the following order :-

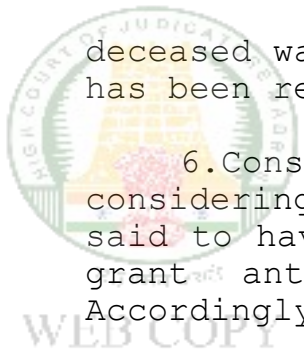
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 498(A), 302 of IPC & Section 4 of Tamil Nadu Dowry Prohibition Act in Crime No.543 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that A1 and the deceased namely, Srividya are husband and wife and they were blessed with a male child. Due to demand of additional dowry, A1 scolded his wife in filthy language and also set fire on her by pouring kerosene. Due to the same, the deceased died on 12.12.2017.

4.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner. He also submitted that when the deceased sustained injuries due to burn injuries, the petitioner had admitted her in hospital to save her life and the said fact was also deposed by the deceased in her statement.

5.The learned Government Advocate (Crl.side) submitted that the petitioner along with other accused set fire and murdered the deceased. He also submitted that the dying declaration of the



deceased was taken as complaint and based on which, the present case has been registered and investigation is still pending.

6.Considering the facts and circumstances of the case and considering the dying declaration in which, the gravity of offence said to have been committed by the petitioner, I am not inclined to grant anticipatory bail to the petitioner at this stage. Accordingly, this Criminal Original Petition is dismissed.

sd/-
28/12/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION, SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18064 of 2017
Date :28/12/2017

MKV-PM-PN-SAR 3/3.1.2018/2P-3C