



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

Thursday the Twenty Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1203 of 2018

DIVYA,

... PETITIONER/ ACCUSED NO.I

Vs

THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION,
THENI DISTRICT,
CR.NO.611 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.KAMESWARAN Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

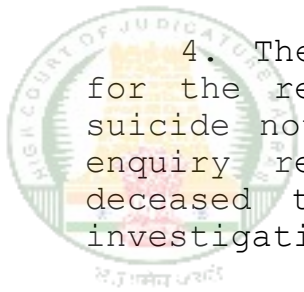
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 174 Cr.P.C. @ 306 of IPC., in Crime No.611 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the petitioner and the defacto complainant's son (deceased) was solemnized in the year 2014. Out of the wedlock, they have one male child. The petitioner's husband was working as security in a private company. On 30.09.2017, at 01.00 a.m., when he returned to his home, he found that A2 was in his house, when he questioned the same, the petitioner/A1 abused him using filthy language and thereafter at 04.00 a.m. he committed suicide by hanging in his house. Hence, the case has been registered against the petitioner and other accused person for the above said crime.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, she did not commit any offence as alleged by the prosecution and she is no way connected with the alleged occurrence. He further submitted that the petitioner has been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions would submit that so far, no suicide note was recovered. Further he added that the preliminary enquiry revealed that the accused persons had instigated the deceased to commit suicide. According to the prosecution, the investigation is still pending.

5. The submissions made by the learned counsel on either side are considered. It is alleged that during the time of occurrence, due to the abnormal conduct of the petitioner/A1 and the other accused/A2 in this case, the deceased committed suicide. Hence, considering the serious allegations made against this petitioner, no doubt, it is a matter for investigation. For these kind of offences, custodial interrogation is necessary for completing the investigation. Accordingly, this Criminal Original Petition is dismissed.

sd/-
25/01/2018

/ TRUE COPY /

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

TO

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

pjl
GJM/CM/VR/SAR-4-6.2.18-2P-3C

ORDER
IN
CRL OP(MD) No.1203 of 2018
Date :25/01/2018