



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

Monday, the Twenty Sixth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.2987 of 2018

RAJA

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
MADUKKUR POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.25 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR, Advocate

For Respondent : M/S.K.SUYAMBULINGA BHARTHI, Govt.Advocate(Crl.Side)

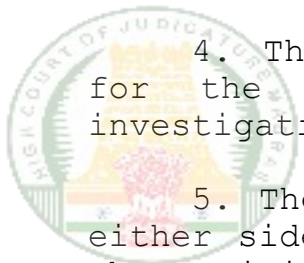
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 18.02.2018 for the alleged offence punishable under Section 306 of IPC., in Crime No.25 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.02.2018, the defacto complainant lodged a complaint before the respondent police alleging that the petitioner herein is working as a Teacher in the school, in which the defacto complainant's son was studying in 12th standard. On 12.02.2018, when his son returned from school, he was looking dull and when the defacto complainant enquired him, he replied that the petitioner herein scolded him and warned him not to come to school from the next day onwards. Thereafter, at 1.30 p.m. the defacto complainant went to his room and found that his son committed suicide and immediately, the defacto complainant took him to hospital, in the hospital he was declared dead. Hence, the case has been registered against the petitioner and other accused for the above said crime.

3.The learned counsel representing the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 18.02.2018. Hence, he prays for grant of bail to the petitioner.



4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that the investigation is in progress.

5. The submissions made by the learned counsels appearing for either side are considered. It is alleged that on the fateful day, the petitioner being the Teacher of the School abused the deceased by saying that the deceased not to come to school from the next day onwards. Thereby, the deceased committed suicide. Eventhough, there is an averment made in the remand report, as the petitioner was arrested in order to settle the public peace, now, according to the prosecution, the case is under investigation. Thereby, the petitioner is having the backbone of the school management may be a powerful person to tamper the witness and hamper the investigation. Moreover, the instruction given by this petitioner that a student should not attend the school is nothing but purely mental harassment. Therefore, for the reasons stated above, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
26/02/2018

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

TO

1. THE INSPECTOR OF POLICE,
MADUKKUR POLICE STATION, THANJAVUR DISTRICT.
2. THE OFFICER INCHARGE, SUB JAIL, PATTUKKOTTAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2987 of 2018
Date :26/02/2018

MS/CM-VR/SAR.1/02.03.2018/2P.4C