



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

Monday, the Twelfth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.3816 of 2018

SHANMUGAPANDI

... PETITIONER/ACCUSED No.1

Vs

STATE REPRESENTED BY,
THE SUB INSPECTOR OF POLICE,
SANKARANKOIL TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.458 OF 2016.

... RESPONDENT

For Petitioner : M/S.R.MATHAVA SELVAM, Advocate

For Respondent : M/S.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, who is arrayed as accused No.1, apprehending arrest at the hands of the respondent police for the offence punishable under Section 306 IPC, in Crime No.458 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that due to matrimonial dispute, the deceased, who is the wife of the petitioner, left the matrimonial home and committed suicide by falling down into well and died on 27.09.2016. Thus, on complaint, a case has been registered against the petitioners.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that the investigation is pending.



5.The submissions made by the learned counsel appearing on either side are considered.

6. Admittedly, the petitioner is the husband of the deceased. It is alleged, prior to the occurrence, in the year 2010, another one complaint was lodged by the deceased against the petitioner and other persons for ill-treating and for other offences. Thereafter, the petitioner continuously made life threat to the deceased. In the meanwhile, the petitioner filed an application before the Sub Court, Sankarankoil, for the relief of divorce. In continuation of the above said occurrence, the petitioner threatened the deceased by saying as he arranged for second marriage, thereby, the deceased committed suicide.

7.Considering the nature of offence committed by the petitioner, the custodial interrogation of the petitioner is very much necessary for completing the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

8.Accordingly, this Criminal Original Petition is dismissed.

sd/-
12/03/2018

/ TRUE COPY /

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

TO

- 1 THE SUB INSPECTOR OF POLICE,
SANKARANKOIL TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.R.MATHAVA SELVAM Advocate SR.No.3876

ORDER
IN
CRL OP(MD) No.3816 of 2018
Date :12/03/2018

PK/CM-VR/SAR-1/21.03.2018 : 2P/4C