



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

Wednesday, the Tenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.391 of 2018

1 ANANDHARAJ
2 SELVARAJ
3 GURUVAMMAL
4 SUBBURAJ
5 SOLAICHAMY

... PETITIONERS / ACCUSED Nos.1 to 5

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
AMATHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT
(CRIME NO. 95/2016)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.JOTHI BASU Advocate

For Respondent : M/S S.BHARATHI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

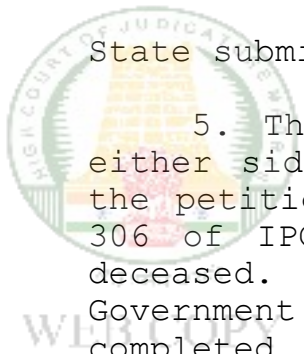
The petitioners/A1 to A5, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 174 Cr.P.C @ 306 of IPC, in Crime No.95 of 2016, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the marriage between the first accused and the deceased was solemnized on 05.12.201. At the time of the marriage, the defacto complainant's family members gave 16 sovereigns jewels and Rs.16,000/- cash as dowry to the first petitioner. Out of the wedlock, they have two male children. It is alleged that on 22.03.2016, the accused persons have conducted a panchayat and thrown out the deceased from the matrimonial home. Due to the occurrence, on frustration, the deceased poured kerosene and set fire. In the hospital, she declared dead.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned Government Advocate(Crl.side) appearing for the



State submitted that the investigation is still pending.

5. The submissions made by the learned counsel appearing on either side are considered. This case has been registered against the petitioners for the alleged offence under Section 174 Cr.P.C @ 306 of IPC. The petitioners are related to each other with the deceased. Now, considering the submission made by the learned Government Advocate (Criminal side), the investigation is not completed. Even though as per the inquest conducted by the RDO, the alleged occurrence was not happened due to the dowry harassment, it is necessary to identify that who is responsible for the suicide committed by the deceased, for which custodial interrogation is necessary. Therefore, Considering the gravity and other circumstance of the case, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-

10/01/2018

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

TO

- 1 THE INSPECTOR OF POLICE
AMATHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

JAM/17/01/2018/CM-VR/ SAR 3 / 2P-3C

ORDER

IN

CRL OP(MD) No.391 of 2018

Date :10/01/2018