



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

Friday, the Fourth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22243 of 2018

M. MANIMARAN

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION,
KARUR DISTRICT.

(IN CRIME NO. 588 OF 2018) ... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.BINDRAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Order Reserved On:19.12.2018

Pronounced On: .04 .01.2019

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 302 of IPC in Crime No.588 of 2018, seeks anticipatory bail.

2The case of the prosecution is that the Village Administrative Officer of Rajendram Village, on 04.12.2018 had given a complaint stating that one Ramya had come to his Office and given a statement to the effect that she was married to one Thangadurai four years before and three months after the marriage, due to misunderstanding between them, she had separated and thereafter she had been living with her parents, wherein, she had developed friendship and relationship with one Manimaran and thereafter, they were continuing the relationship and living as husband and wife. Out of this relationship, they had a female child. Since there arose a dispute between them, the said Ramya was not willing to live further and finish off her life and strangled the child to death and



attempted to suicide. Since the neighbours came to know about the same, in order to save her life, she had approached the defacto complainant and she had confessed the same. Thereafter, a case was registered under Section 302 I.P.C against the petitioner. Investigation was carried out on 14.12.2018. During investigation, it was found about the petitioner's (Manimaran's) involvement and complicity in this case and thereafter, the above case was altered into under Sections 302 r/w 306 and 511 I.P.C and to that effect alteration report dated 14.12.2018 has been filed.

3.The contention of the petitioner is that the said Ramya had attempted to strangulate the neck of the child as well as she attempted to commit suicide by consuming kerosene. The petitioner has no role in the said act. The petitioner's name did not find place in the complaint given by the Village Administrative Officer of Rajendram Village. The petitioner is working in Bangalore. He has no knowledge about the acts done by the said Ramya. He has produced is Employment Certificate, dated 01.02.2013.

4.The learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, would submit that Ramya had been examined and who had categorically stated that she and the petitioner had been living as husband and wife and they were having physical relationship and out of such relationship, they were blessed with a child viz., Devadharshini. Now, the petitioner wanted to have yet another marriage, which was questioned by the said Ramya and she was abused, ill-treated and the petitioner asked her to end her life and child's life to seek solution. Thereafter, the said Ramya had consumed kerosene to commit suicide.

5.The statement of the parents is also produced, wherein, these witnesses have also categorically stated about their relationship. In fact, the earlier marriage of Ramya had broken down, because of the continuous relationship of the petitioner with Ramya and the petitioner is only responsible for Ramya's attempt to suicide and for her other acts.

6.Considering the rival submissions and also on perusal of the materials, this Court finds that investigation is at the initial stage and there is prima facie material against the petitioner. In view of the same, this anticipatory bail petition is dismissed.

sd/-
04/01/2019

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



1. THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION,
KARUR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.22243 of 2018
Date :04/01/2019

AE/PN/SAR4/09.01.2019/3P/3C