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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/09/2019
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . Nos.12356 and 12376 of 2019

Sivasankar ... Petitioner/Accused No.2 in
CRL OP(MD) . No.12356 of 2019

Velmurugananthan ... Petitioner/Accused No.1 in
CRL OP(MD) . No.12376 of 2019

Vs

The State rep.by
The Inspector of Police,
Pasupathipalayam Police Station,
Karur District
(Crime No.183 of 2019). ... Respondent/Complainant
in both Crl.O.Ps

(in both Crl.O.Ps)

For Petitioners : M/s.K.M Karunakaran,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER in CRL OP(MD) . No.12356 of 2019:-

for Anticipatory Bail in Crime No.183 of 2019 on the file of
the Respondent Police.

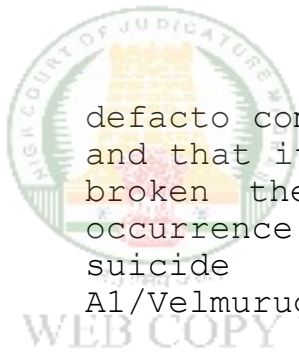
PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER in CRL OP(MD) . No.12376 of 2019:-

for Bail in Crime No.183 of 2019 on the file of the Respondent
Police.

COMMON ORDER : The Court made the following order :-

The defacto complainant in this case is the brother of the
deceased. A1/Velmurugananthan got married to Padmini some 16 years
ago. Two children were born through the wedlock but the marital
relationship between the two came under strain as A1 is said to have
developed intimacy with another woman. The allegation of the



defacto complainant is that A1 brought the said women into the house and that it was severely objected by his sister. A1 is said to have broken the right ankle of Padmini some 20 days prior to the occurrence. Unable to bear the harassment of A1, Padimini committed suicide by hanging herself on 25.08.2019. Therefore, A1/Velmuruganathan was arrested on the same day.

2.In the complaint, it has been mentioned that not only A1/Velmuruganathan but also his brother/Sivasankar are responsible for the death of Padmini. That is why, on behalf of Sivasankar, Crl.O.P.(MD)No.12356 of 2019 has been filed, seeking anticipatory bail.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that even though the name of Sivasankar has been mentioned in the complaint, Sivasankar is not an accused in this case and that there is no proposal to add him as accused. This submission made by the learned Government Advocate (Crl. Side) is placed on record and Crl.O.P.(MD)No.12356 of 2019 is disposed of accordingly.

4.A1/Velmuruganathan is in custody since 25.08.2019, for the offence under Section 306 of I.P.C. It is true that his children are now without proper care. But then, I am of the view that in view of the serious allegations made in the complaint touching on the conduct and character of A1/Velmuruganathan and that he caused fracture to the deceased/Padmini, I am not inclined to grant bail to A1/Velmuruganathan and Crl.O.P.(MD)No.12376 of 2019 stands dismissed.

sd/-
05/09/2019

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,
KARUR

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE
PASUPATHIPALAYAM POLICE STATION,
KARUR DISTRICT



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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-14861[I] dated 05/09/2019)

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ORDER IN
CRL OP (MD) . Nos.12356
and 12376 of 2019
Date :05/09/2019

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