

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.05.2020

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CRL.OP.No.7617 of 2020

1. Rajkamal

2. Divya

...Petitioners

Vs.

State represented by

Inspector of Police,

Minjur Police Station

Thiruvallur District .

...Respondent

Prayer: Criminal Original Petition is filed under Section 438 of Cr.PC, seeking bail to the Petitioners in the event of his arrest in Crime No.1089 of 2020, on the file of the respondent police.

For Petitioner : Mr.S.N.Arun Kumar

For Respondent : Mr.ShunmugaRejeswaran
Government Advocate (Criminal Side)

ORDER

Apprehending arrest for the offences punishable under Section 174(3) altered to Sections 498(A), 306 and 304B IPC, in Crime No. 1089 of 2020, on the file of the respondent police, the petitioners/A2 and A3 have come forward with this petition seeking for Anticipatory Bail.

2. Shorn of unnecessary details, according to the prosecution case, the petitioners and the other accused involved in the abovesaid crime had been demanding dowry from the deceased and her family members right from the inception of the marriage and on that score inflicting cruelty and torture upon the deceased and further on account of the cruelty committed by the petitioners and the other accused, the deceased was forced to go to her parental home. Further it is put forth that her husband, namely A1, had relationship with another girl and on that score, threatened the deceased to give divorce and thereby abetted the commission of her suicide and it is also stated that the deceased had lodged a complaint with the office of her husband and also before the police prior to her death and committed suicide by hanging in her parental home on 27.04.2020 by leaving a suicidal note and thus the petitioners and the other accused had committed the offences levelled against them.

3. According to the petitioners, they had been falsely implicated in the case and the first petitioner is the brother of A1, the husband of the deceased and A2 is the wife of A1 and that they were not residing with the deceased and her husband as alleged by the prosecution and they were living separately and nothing to do with the marital affairs between

the deceased and A1. It is stated that they had been falsely implicated in the case by the defacto-complainant with ulterior motive and on account of the natural domestic bickerings and quarrels between the deceased and the petitioners, the petitioners had been roped in the crime and ready to cooperate with the investigation and accordingly prayed for the relief sought for.

4. Per contra, according to the learned Public Prosecutor, the offences levelled against the petitioners and the other accused are serious in nature and the investigation is still pending and the postmortem and inquest reports are awaited and according to him, the deceased had committed suicide within a few days of her marriage and only on account of the cruelty inflicted upon the deceased by the petitioners and the other accused, the deceased had committed suicide and therefore, strongly opposed the relief sought for by the petitioners.

5. Considering the nature of the accusation levelled against the petitioners, they being serious in nature and the stage of the investigation and the apprehension of the prosecution that the petitioners may cause hindrance to the process of ongoing free and fair investigation and flee from justice, not to be easily discarded, at this stage of the matter, I am not inclined to grant the relief sought for by the petitioners.

For the reasons aforesated, the Criminal Original Petitions is
dismissed.

15.05.2020

Index : Yes/No
Internet: Yes/No

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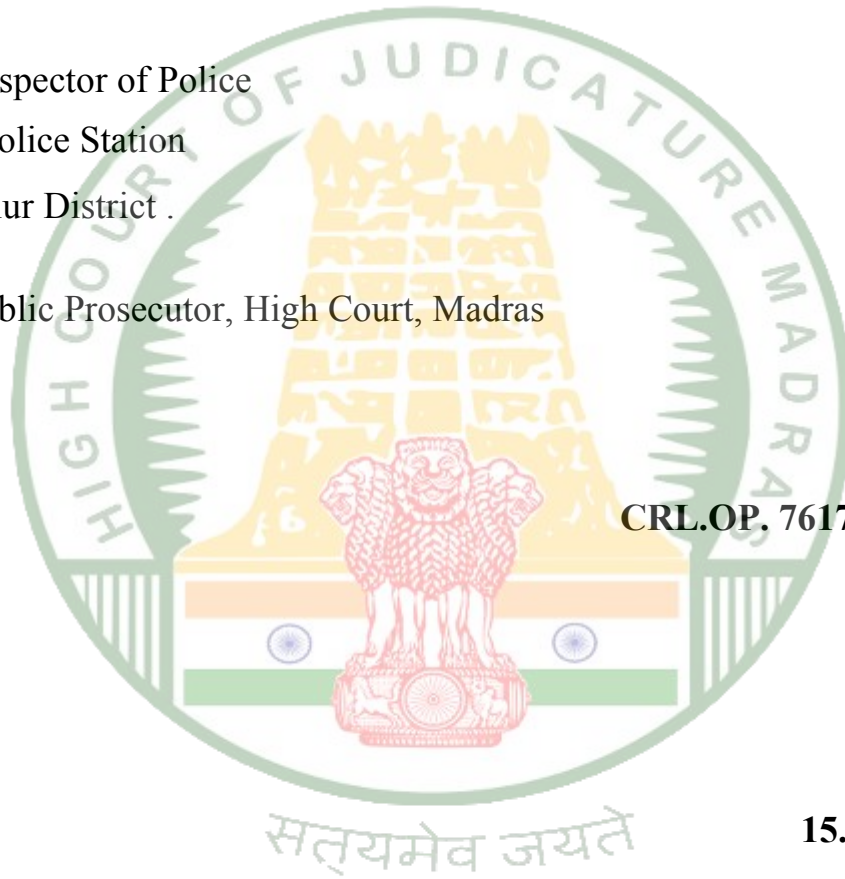
T.RAVINDRAN, J

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To

1. The Inspector of Police
Minjur Police Station
Thiruvallur District .

2.The Public Prosecutor, High Court, Madras



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