

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.08.2020

CORAM :

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.12661 of 2020

Balaji

... Petitioner

Vs.

The State, represented by
the Inspector of Police
Uthiramerur Police Station
Uthiramerur
(Crime No.1315 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.1315 of 2020 pending investigation on the file of the Respondent.

For Petitioner : M/s.AL Ganthimathi

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (CrI. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 24.07.2020 for the offences punishable under Section 302 IPC, in Crime No.1315 of 2020, seeks bail.

2. The case of the prosecution as per the defacto complainant / mother of the deceased is that her married daughter was found dead in a suspicious circumstances inside the bathroom of their house. Based on the complaint given by her, a case was initially registered on 08.07.2020 for the offence under Section 174 (3) Cr.P.C. During the course of investigation, the fact came to light that since the daughter of the defacto complainant even after her marriage continued illegal affair with her boy friend, the petitioner, who is the father of the deceased committed murder of his daughter by strangulation.

3. The learned counsel appearing for the petitioner would submit that the victim was found dead in a suspicious manner. Based on the complaint given by the mother of the deceased, the case was originally registered for the offence under Section 174 (3) Cr.P.C. and later it was altered to 302 IPC and the respondent police have arrested the petitioner, who is the father of the deceased only on suspicion

4. The learned Government Advocate (Crl. Side) would submit that the petitioner is the father of the deceased. The deceased Sentharagai is the daughter of the petitioner. She was having an affair with one Manikandan. The petitioner against the wishes of her daughter had given her in marriage to one Yuaraj on 24.05.2020. Since his daughter continued her illegal affair with the said Manikandan, even after the marriage the petitioner had committed the murder of his own daughter when she was in his house by strangulating her neck. Originally, the case was registered under Section 174 (3) Cr.P.C. and after receipt of the opinion from the Doctor who had done autopsy, it was found that the deceased died due to strangulation and thereby, the case was altered to Section 302 I.P.C. He would further submit that the investigation is in the preliminary stage. Hence, he vehemently opposes for the grant of bail to the petitioner.

5. Taking into consideration of the fact that the investigation is in the preliminary stage, this Court is not inclined to grant bail to the petitioner.

6. This Criminal Original Petition stands dismissed accordingly.

-sd/-
21/08/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
UTHIRAMERUR POLICE STATION,
UTHIRAMERUR.

+1 CC to M/S.AL.GANTHIMATHI Advocate on payment of
necessary charges SR NO. 6004

CRL OP.12661/2020

Date :21/08/2020