

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.13619 of 2020

IN CRL.MP.5557 of 2020

Veerapathiran

... Petitioner

Vs.

The State rep. by
The Inspector of Police
Madurantakam Police Station
Chengalpattu District.
Cr.No.1712 of 2020.

...Respondent

S.GANESAN,

[PETITIONER/INTERVENER
DEFACTO-COMPLAINANT]

[ORDERED AS PER ORDER OF THIS COURT DATED 24/09/2020.
IN CRL.MP.5557/2020 IN CRL.O.P.NO.13619/2020]

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1712 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.V.Bhagiradhan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 306 IPC, in Crime No.1712 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Ganesan is that his son Senthilnathan is a practising advocate at Madurantakam and his marriage was fixed on **04.09.2020**. Whiles, he had committed suicide by hanging on **28.08.2020**. The reason for

commission of suicide is that the de-facto complainant's elder son, namely Thiruvannavukkarasu had conducted a Deevapavali chit and he was unable to repay the amounts to the subscribers. Whiles, several persons had threatened him for making payment. Due to the threat he absconded Whiles, the petitioner/accused who is an influential person repeatedly threatened the deceased demanding money, due to which he had committed suicide by hanging.

3. The learned counsel for the petitioner would submit that the elder brother of the deceased one Thiruvannavukkarasu conducted a Deepavali chit and cheated several persons and since his brother was unable to repay the amount to the subscribers, the deceased committed suicide. He would further submit that he has nothing to do with the alleged offence. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed stating that the brother of the deceased namely, Thiruvannavukkarasu had conducted a Deepavali chit and he was unable to repay the money to the subscribers. Meanwhile, the marriage of the victim namely, Senthilanathan was fixed on 04.09.2020. After coming to know about the marriage of the victim, the petitioner/accused who is an influential person repeatedly threatened and harassed the younger son of the de-facto complainant, due to which, his son had committed suicide. He would further submit that the investigation is in initial stage and the accused has been arrested.

5. The learned counsel for the intervenor would submit that the brother of the deceased conducted a chit and he was unable to pay the money to the subscribers. Whiles, the marriage of the deceased was fixed on 04.09.2020. The petitioner/accused knowing well that the marriage of the deceased was fixed, had continuously harassed and threatened the deceased stating that if the amount is not settled he will stop the marriage of the deceased. Unable to bear the harassment made by the accused, the victim had committed suicide by hanging.

6. Taking into consideration the facts and circumstances of the case and the nature of the allegations made against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/09/2020

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

TRUE COPY

TO

1 THE INSPECTOR OF POLICE,
MADURANTAKAM POLICE STATION,
CHENGALPATTU DISTRICT.

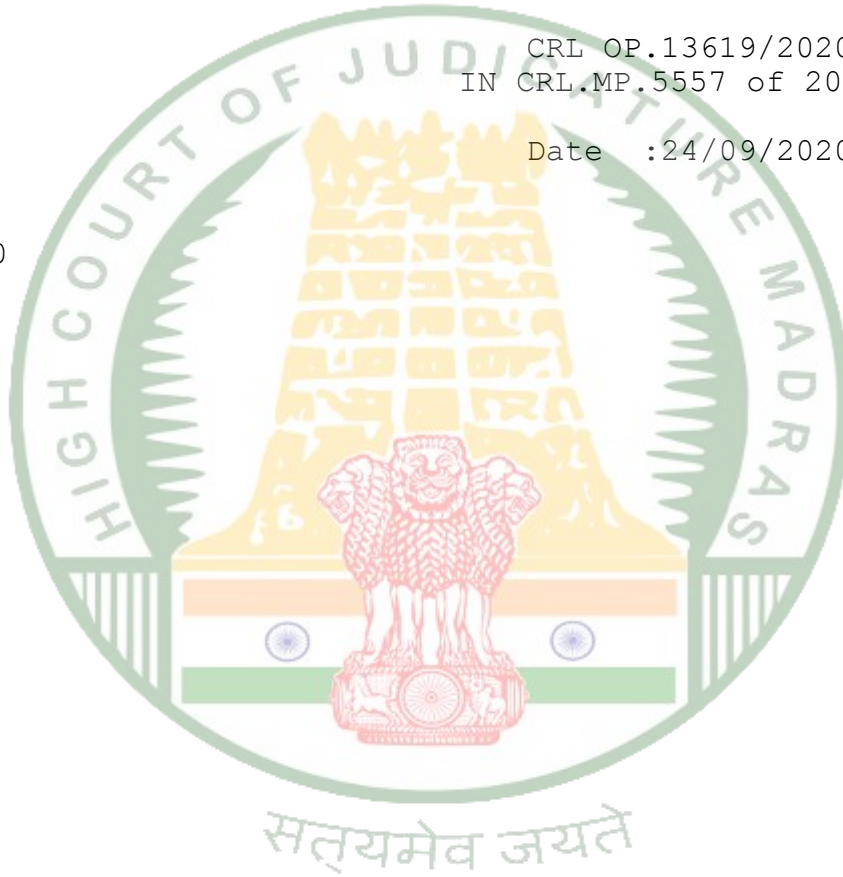
2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. V.BHAGIRADHAN Advocate on payment of necessary
charges

CRL OP.13619/2020
IN CRL.MP.5557 of 2020

Date :24/09/2020

TA-07/10/2020



WEB COPY