

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.10.2020

CORAM :

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

Cr1.O.P.No.17053 of 2020

Veerapathiran

... Petitioner

Vs.

The Inspector of Police,
Madurantakam Police Station,
Chengalpattu District.
(Crime No.1712 of 2020)

... Respondent

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

O R D E R

(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 Section 306 of 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 younger 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 committing suicide is that the de-facto complainant's elder son, namely Thiruvannukkarasu 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 Thiruvannukkarasu 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, Thiruvananthapuram had conducted a Deepavali chit and he was unable to repay the money to the subscribers. Meanwhile, the marriage of the victim namely, Senthilnathan 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 if Anticipatory Bail is granted to the petitioner it will be detrimental to the case of the prosecution.

5. 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.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

29/10/2020

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 JUDICIAL MAGISTRATE,
MADURANTAKAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
MADURANTAKAM POLICE STATION,
CHENGALPATTU DISTRICT.

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

CRL OP.17053/2020

Date :29/10/2020

RVR 06/11/2020