



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/02/2020

PRESENT

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

CRL OP(MD). No.2031 of 2020

P.Velmurugan

... Petitioner/Accused
Rank not known

Vs

State represented through
The Sub Inspector of Police,
Melur Police Station, Madurai.
(Crime No.63 of 2020).

... Respondent/Complainant

For Petitioner : M/s.D.Sadiq Raja, Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervenor : Mr.E.Marees Kumar, Advocate for
Mr.C.R.Kasi Viswanathan

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

PRAYER :-

for Anticipatory Bail in Crime No.63 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, learned counsel appearing for the intervenor and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offence punishable under section 306 of I.P.C., in Crime No.63 of 2020 on the file of the respondent police, seeks anticipatory bail.

3.The case was initially registered under Section 174 of Cr.P.C., and later altered.



4.The petitioner's counsel would submit that the petitioner and the deceased got married some 21 years ago and that, three daughters were born through the wedlock. The victim was under an erroneous impression that the petitioner had developed intimacy with one Parameswari and consumed poison on 21.01.2020. She eventually died on 31.01.2020.

5.The petitioner's counsel would point out that out of the three daughters, the youngest one is remaining with the petitioner, while the two others are with the defacto complainant mother of the deceased. According to him, there is a proposal to get the eldest daughter married to her maternal uncle and that is why, the two daughters are supporting the prosecution. He would also point out that even though the victim was in hospital for almost six days, no statement incriminating the petitioner has been obtained from her.

6.I had a brief conversation with the two daughters of the petitioner. They are presently with the defacto complainant. They categorically asserted that their father had developed intimacy with one Parameswari who is a married woman and this was the cause of the friction between their father and mother. The petitioner has not made out with any defence version as to why the petitioner's wife should commit suicide by consuming poison. The case projected in the FIR appears to be more probable. Since the woman had committed suicide leaving behind her three daughters, I am of the view that it is not a fit case for grant of anticipatory bail. Hence, this criminal original petition stands dismissed.

sd/-
10/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SUB INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO Mr.C.R.KASI VISWANATHAN, ADVOCATE IN SR No. 2677

ORDER IN
CRL OP(MD) No.2031 of 2020
Date :10/02/2020

RMI

<https://hcservices.gov.in/hcservices/> 10/02/2020 : 2P/4C