



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

Date : 18/08/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.8525 of 2020

1.Iyyakannu
2.Karuppaiya

... Petitioners/Accused
Nos.1 and 2

Vs

The State rep.by
The Inspector of Police,
Sendhamaram Police Station,
Sendhamaram, Tenkasi District.
FIR in Crime No.349 of 2020

... Respondent/Complainant

For Petitioners : M/s.P.M.Vishnuvarthanan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.349 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners who are arrayed as A-1 & A-2 apprehending arrest at the hands of the respondent police for the offences punishable under section 174 of Cr.P.C., altered into Section 306 of IPC, in Crime No.349 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first petitioner is the husband of the deceased, namely; Sathya and the second petitioner is the father of A-1 and the defacto complainant's daughter, the deceased Sathya married to the A-1. Due to family dispute between the deceased Sathya and A-1, the deceased has committed suicide by hanging. Based on a complaint given by the defacto complainant, a case has been registered under Section 174 of Cr.P.C.

3. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (criminal side).



4. The learned counsel appearing for the petitioner would submit that the petitioners are innocent and they had not committed any offence as alleged in the First Information Report. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (criminal side) appearing for the respondent police would submit that the First Information Report has been registered under Section 174 of Cr.P.C and the investigation is still pending.

6. Taking note of the submission of the learned Government Advocate (criminal side) and considering the fact that investigation is still pending under Section 174 of Cr.P.C., hence, at this stage, this petition is not maintainable.

7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
18/08/2020

/ TRUE COPY /

/08/2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
SENDHAMARAM POLICE STATION,
SENDHAMARAM, TENKASI DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.M.VISHNU VARTHANAN, Advocate (SR-5997[I] dated 18/08/2020)

ORDER
IN
CRL OP(MD) No.8525 of 2020
Date :18/08/2020