



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

Date : 09/10/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.11072 of 2020

Ravichandran

... Petitioner/Accused

Vs

State Represented by,
The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District,
Crime No.352 of 2019.

... Respondent/Complainant

For Petitioner : Mr.R.Senthil Kumar,
Advocate.

For Respondent : Mrs.M.Anandha Devi,
Government Advocate (Crl.Side)

For Intervener : Mr.D.Sadiq Raja,
Advocate

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

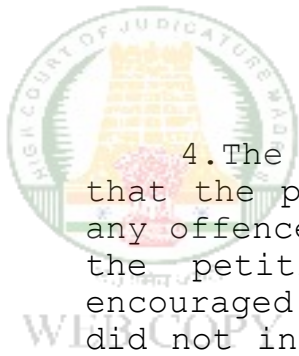
PRAYER :- For Anticipatory Bail in Crime No.352 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as Accused No.Rank Not Known, apprehending arrest at the hands of the respondent police for the offences punishable under section 306 of IPC, in Crime No.352 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is working as a teacher at Saraswathi Matriculation School, Usilampatti. The deceased was studying 10th standard under the same school. While being so, on 01.12.2019, the deceased, who is aged about 15 years old, said to have committed suicide by hanging himself. Hence, the present complaint.

3.Heard the learned counsel appearing for the petitioner and the intervener/defacto complainant and the learned Government Advocate (Crl. Side) appearing for the respondent.



4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has treated the students as his friends and encouraged studying well. He further submitted that the petitioner did not instigate the deceased to commit suicide. Hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned counsel appearing for the intervener/defacto complainant submitted that suicide note is there and it is noted that the petitioner is the main reason to commit the suicide and he instigated the deceased to commit suicide.

6.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the petitioner is working as a teacher at Saraswathi Matriculation School, Usilampatti. The deceased was studying 10th standard in the same school. While being so, on 01.12.2019, the deceased, who is aged about 15 years old, said to have committed suicide by hanging himself. Thereafter, the suicide note has been seized.

7.On perusal of the records, it is seen that the deceased was studying 10th standard at Saraswathi Matriculation School, Usilampatti. While being so, on 01.12.2019, he committed suicide by hanging himself with suicide note. In the suicide note, it revealed that the petitioner is the main reason to commit suicide. In the suicide note, the expert has given his opinion that the suicide note signature and the deceased signature are one and the same.

8.Considering the facts and circumstances of the case and also considering the fact that at the instigation of the petitioner, the deceased committed suicide and there is a specific overt act attributed against the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

9.Accordingly, this criminal original petition is dismissed.

sd/-
09/10/2020

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/ /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
USILAMPATTI TALUK POLICE STATION,
MADURAI DISTRICT
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.11072 of 2020
Date :09/10/2020

vsg
PK/SMA/SAR-4/15.10.2020 : 3P/3C