

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty First day of January Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.672 of 2021

VIJAYA KUMAR [PETITIONER /2nd ACCUSED]

Vs

THE STATE, REPRESENTED BY
SUB-INSPECTOR OF POLICE,
THIRUTHANI POLICE STATION,
THIRUTHANI TALUK,
THIRUVALLUR DISTRICT.
(CRIME NO.2809 OF 2020). [RESPONDENT/COMPLAINANT]

For Petitioner : M/S.M.Y.NITHIA JOTHI Advocate

For Respondent : MR.Mr.S.KARTHIKEYAN
Addl. Public Prosecutor

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

ORDER : The Court Made the following order

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 174 of Cr.P.C and later altered to Section 306 IPC, in Crime No.2809 of 2020, seeks anticipatory bail.

2. There are totally three accused in this case and the petitioner is A2. The allegation is that the petitioner and other accused received Rs.15,00,000/- from the de-facto complainant's husband for the purpose of getting job in the railways and thereafter, failed to do so and also refused to return the money to the victim. Hence, he has committed suicide by hanging. Based on the complaint given by the de-facto complainant, crime has been registered.

3. The learned counsel for the petitioner would submit that the petitioner did not receive any amount from the deceased and he has also given money to A1 and he was also cheated by A1 and he has been falsely implicated in this case. Hence, he prays for grant of

anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the victim had given a suicide note by way of video recording, where he has stated that the petitioner and A1 received Rs.15,00,000/- for getting a job in the railways and thereafter failed to do so and also refused to repay the money. Hence, he had committed suicide. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also of the fact that A1 is still absconding and A3 was arrested and remanded to judicial custody, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

21/01/2021

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 SUB-INSPECTOR OF POLICE,
THIRUTHANI POLICE STATION,
THIRUTHANI TALUK,
THIRUVALLUR DISTRICT,

2. THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.Y.NITHIA JOTHI Advocate on payment of necessary charges

CRL OP.672/2021

Date :21/01/2021

KSM04/01/2021