

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.04.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

Crl.O.P.No.5767 of 2021

Pushparaj

... Petitioner

Vs.

State rep. by
Inspector of Police,
Thiruthani Police Station,
Thiruvallur District.
(Crime No.2809 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Cr.No.2809 of 2020 on the file of the respondent Police.

For Petitioner : Mr.M.Manivelan

For Respondent : Mr.Charles Premkumar,
Govt. Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner apprehends arrest at the hands of respondent police for the offence punishable under Section 174 of Cr.P.C., 1973, subsequently altered into Sec. 306 of I.P.C. in connection with Crime No.2809 of 2020 filed this petition and this is the second petition seeking for anticipatory bail filed by the petitioner.

2. The case of prosecution is that the petitioner and other accused received a sum of Rs.15,00,000/- from the defacto 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 defacto complainant, the present complaint has been registered against the petitioner.

3. Earlier, this Court had passed an order dated 27.01.2021 in Crl.O.P.No.796 of 2021 dismissing the petition on the ground that A2 is still absconding, and A3 was arrested and remanded to judicial custody.

4. Today, when the matter taken up for hearing, the learned Government Advocate (Crl. Side) appearing for respondent would submit that the arrested co-accused was still in judicial custody and A2 was granted anticipatory bail.

5. Considering the fact that the arrested co-accused was still in judicial custody, the petitioner is the main accused and there is no change of circumstances to grant anticipatory bail to the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

23/04/2021

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 JUDICIAL MAGISTRATE,
THIRUTHANI

2 INSPECTOR OF POLICE,
THIRUTHANI POLICE STATION,
THIRUVALLURU DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.5767/2021

Date :23/04/2021

RVR 02/06/2021