

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.9589 of 2021

Vinoth

... Petitioner/A1

Vs.

State Rep By

Inspector of Police,
Pennalurpet Police Station,
Tiruvallur District.
(Crime No. 64 of 2021)

.... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in Crime No. 64 of 2021 on the file of the respondent police.

For Petitioner : Mr.A.Swaminathan

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

ORDER

(Through video conference)

The petitioner who was arrested on 10.04.2021 and remanded to judicial custody for the offences under Section 174(3) of Cr.P.C., and subsequently altered into one under Section 306 of I.P.C in Crime No. 64 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant's daughter viz., Monisha married the petitioner due to love affair prior 1 ½ years before on the date of occurrence. During the initial days of her marriage she lives happily and thereafter, the petitioner without doing any job and usually came home in a drunken mood and demanding money and jewels from her mother's house due to which, there was quarrel between them and therefore, the defacto complainant's daughter left with her matrimonial home and returned to her mother's house on 10.04.2021. On 10.04.2021, the defacto complainant's daughter had committed suicide by hanging herself in her mother's home. Hence the case.

3.The learned counsel for the petitioner submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner has been in jail from 10.04.2021. Therefore, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl.Side) vehemently opposed the grant of bail by stating that the marriage between the petitioner and the deceased took place during 1 ½ years prior to the occurrence date and the marriage was love marriage and living in the same village. He would further submit that initially they were living happily and subsequently, the petitioner/ husband was not going for avocation or employment and he was used to come home in a drunken stage and often quarrel with his wife for demanding monetary help from her parents. On the date of occurrence also there was quarrel between them and therefore she committed suicide by hanging herself in her parents house. He would submit that the investigation is in very initial stage and the RDO enquiry has been initiated and the petitioner was arrested on 10.04.2021 and that if the petitioner is enlarged on bail there is every possibility to interfere with the investigation process and threatening the witnesses.

5.Taking into consideration, the submission made by the learned Government Advocate and that the marriage had taken place 1 ½ years prior to the date of occurrence and the victim had committed suicide on 10.04.2021 within a period of two years from marriage and that the investigation is in initial stage and RDO enquiry is also pending, this Court comes to a conclusion that it is not a fit case for grant of bail to the petitioner at this stage.

6.Accordingly, this Criminal Original petition is dismissed.

-sd/-

26/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

WEB COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, UTHUKOTTAI

2 THE OFFICER INCHARGE,
SUB JAIL, TIRUVALLUR

3 THE INSPECTOR OF POLICE
PENNALURPET POLICE STATION,
TIRUVALLUR DISTRICT.

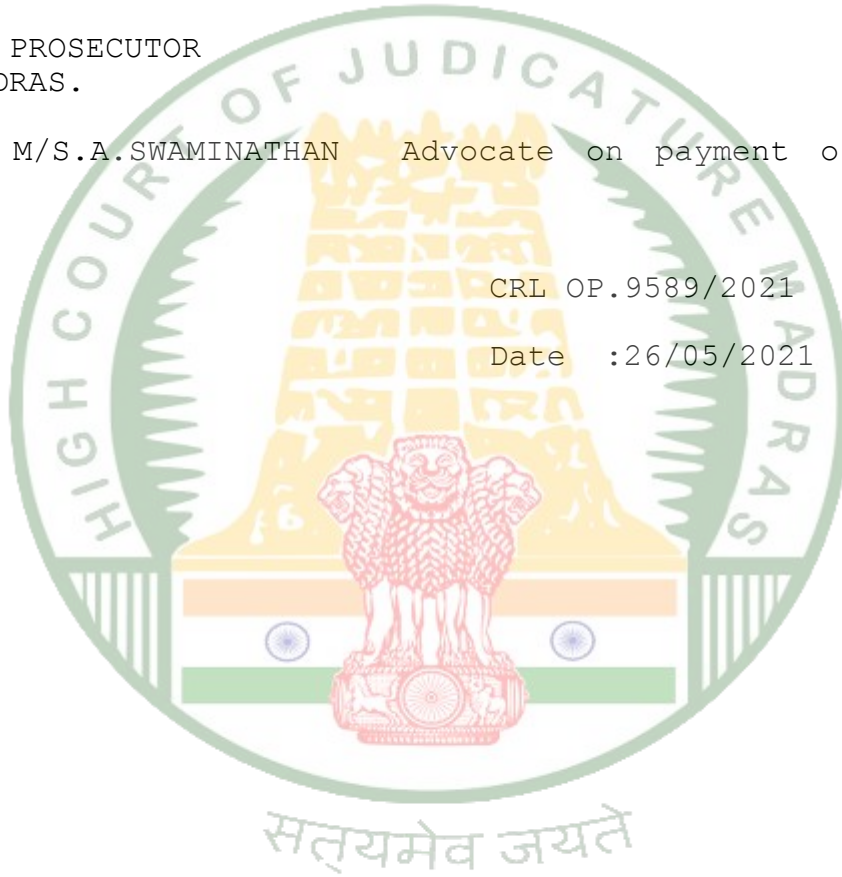
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.9589/2021

Date :26/05/2021

RVR 28/06/2021



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