



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16012 of 2021

1 RANI

[PETITIONER / ACCUSED]

2 SENTHILKUMAR

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
DHARAPURAM POLICE STATION,
TIRUPPUR DISTRICT.
CRIME NOT KNOWN 2021.

[RESPONDENT]

For Petitioner : M/S.I.C.VASUDEVAN Advocate

For Respondent : M/S. A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections (Man Missing) Section 306 IPC in Crime No. Not Known of 2021 on the file of the respondent seeks anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant's father are siblings. While so, the petitioners allegedly sold the property in the name of their mother, without her knowledge and, therefore, the deceased committed suicide on 16.08.2021 resulting in the filing of the present. Hence, the complainant.

3.The learned counsel for the petitioners submit that the petitioners did not commit any offence as alleged by the prosecution. He further submits that A2 is residing in the said property and the deceased used to demand money from the petitioners for which the petitioners refused. Hence, he seeks for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl. Side) would submit that case was registered under Section 174 of Cr.P.C. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

6. In view of the fact that the investigation is pending and there is no apprehension of arrest at the present point of time as FIR has not been registered against the petitioners and the offence has not been altered as averred in the affidavit, the present petition is premature and therefore the plea for anticipatory bail does not arise. Accordingly this Criminal Original Petition is Closed with liberty to the petitioner to file fresh petition if FIR is filed against them.

-sd/-

06/09/2021

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 INSPECTOR OF POLICE,
DHARAPURAM POLICE STATION,
TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.I.C.VASUDEVAN Advocate on payment of necessary charges

CRL OP.16012/2021

Date :06/09/2021

APN 20/09/2021