



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Nineteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21838 of 2021

1 KALA [PETITIONERS/ ACCUSED]
2 SATHYA

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
THOPPUR POLICE STATION,
DHARMAPURI DISTRICT.
(CRIME NO.58/2021)

For Petitioner : M/S.S.DUR AISAMY, Advocate for
M/S.V.ELANGOVAN Advocate

For Respondent : M/S.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

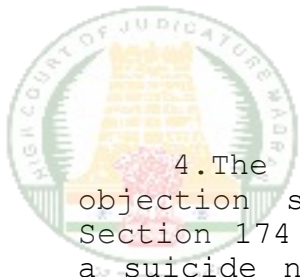
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 22.10.2021 for the offences under **Section 174 of Cr.PC @ 306 of IPC**, in Crime No.58 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant's elder daughter was found dead by hanging with saree. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are neighbours of the deceased and they have been falsely implicated in this case. He would further submit that the petitioners have been suffering incarceration for more than 25 days from 22.10.2021 and and would pray for grant of bail to the petitioners.



4. The learned Government Advocate (Crl. Side) would raise objection stating that originally the case was registered under Section 174 Cr.P.C and during the course of investigation, they got a suicide note based on which, the petitioners were implicated and subsequently, the case was altered to Section 306 IPC. The petitioners are the neighbours of the defacto complainant and at the time of the occurrence, the deceased was only 11 years old and still the investigation is pending.

5. Heard both sides and perused the suicide note.

6. It is seen that the occurrence happened during February 2021 and after obtaining the suicide note, the petitioners have been arrested recently on 22.10.2021 and that the investigation has not been completed and therefore, this Court is not inclined to grant bail to the petitioners at this stage. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
19/11/2021

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,
THOPPUR POLICE STATION,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
SPECIAL CELL FOR WOMEN SALEM CENTRAL PRISON,
SALEM.

+1 CC to M/S V.ELANGO VAN Advocate on payment of necessary charges SR.NO.13025

CRL OP.21838/2021

Date :19/11/2021

TA-26/11/2021