



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Fifth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.22387 of 2021

PRABAKARAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ATTUT TOWN POLICE STATION,
SALEM DISTRICT.
CR.NO.474 OF 2021.

[RESPONDENT]

For Petitioner : M/S. T.GANESAN Advocate

For Respondent : MR.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 petitioner who was arrested and remanded to judicial custody on 15.10.2021 for the offences under Sections 316 of IPC altered into Section 316 of IPC and Section 174(3) of Cr.P.C altered into Sections 316 and 304(B) of IPC, in Crime No.474 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de facto complainant is the mother of the deceased. The deceased married the petitioner 4 years back and it was a love marriage. At the time of occurrence, the daughter of the defacto complainant was 8 months pregnant. The petitioner is a drunkard. On the date of occurrence, the deceased had given money to the petitioner to purchase cylinder whereas, the petitioner used the money for consuming liquor due to which, there was a wordy quarrel between the petitioner and the deceased. At that time, the deceased poured Kerosin on her body and set fire. Immediately, she was taken to hospital wherein, during her last breath, she delivered a still born female baby. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration for more than 35 days from 15.10.2021 and hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioner used to torture the deceased for money for consuming liquor due to which, the deceased took the extreme step of ending her life while she was 8 months pregnant and that the investigation has not been completed.

5.On seeing the grave nature of allegation alleged against the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
25/11/2021

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,
ATTUT TOWN POLICE STATION,
SALEM DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.22387/2021

Date :25/11/2021

JPA 03/12/2021