



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Twenty First day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.13073 of 2021

IN CRL.A.NO.252 of 2020

V.MANISEKAR

[ PETITIONER/PW 3 ]

Vs

1 MURUGESAN

[ 1<sup>st</sup> RESPONDENT/APPELLANT ]

2 INSPECTOR OF POLICE  
TIRUCHENGODE POLICE STATION,  
NAMAKKAL DISTRICT.  
(CR.NO.257 OF 2018)

[ 2<sup>nd</sup> RESPONDENT ]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.A.NO.252 of 2020 on the file of the High Court, the High Court will be pleased to permit the petitioner to engage his counsel to assist the Ld. Public Prosecutor at the time of final hearing of the above C.A.No.252 of 2020 IN CRL.MP.NO.13073/2021.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.A.NO.252 of 2020 on the file of the High Court and upon hearing the arguments of MR.VISHNU Advocate for MR.N.MANOHRAN, Advocate for the Petitioner and of MR.MOHAMED SAIFULLA Advocate for 1<sup>st</sup> Respondent and of MR.S.SUGENDRAN, Govt. Advocate ( Crl. Side) on behalf of the 2<sup>nd</sup> Respondent the court made the following order:-

This petition has been filed to permit the petitioner to engage his counsel to assist the learned Public Prosecutor at the time of final hearing of the above appeal in C.A.No.252 of 2020 on the file of this Court.

2.Learned counsel for the petitioner would submit that on the complaint dated 21.03.2008 given by his father late S.Velumani to the second respondent, a case in Crime No.257 of 2008 was registered under Section 174 of Cr.P.C. (Hanging). The said complaint was given



by the petitioner's father stating that the petitioner's sister Sathya was given marriage to the first respondent and at the time of marriage, they were given 105 sovereigns of gold jewels, a luxury car and a cash of Rs.1,00,000/- towards dowry. Besides other household articles and 5 sovereigns of gold jewels were given to the first respondent. The petitioner's sister gave birth to a male child out of the said wedlock. The petitioner's sister was subjected to undergo unbearable torture and humiliation by the first respondent and his mother right from the inception of her marriage and on 21.03.2008, the petitioner's sister was found dead in unnatural circumstances. Since the death was within seven years of marriage, the enquiry was conducted by the Sub Divisional Magistrate and it was found that there was a demand of dowry. Thereafter, the respondent completed the investigation and filed the final report against the first respondent for the offences under sections 498-A and 306 IPC. The trial court found the first respondent guilty for the offence under section 306 IPC. During trial, the petitioner's father was examined as P.W.1 and the petitioner was examined as P.W.3. After the conviction, the petitioner's father S.Velumani died on 16.12.2020 and the first respondent filed Crl.A.No.252 of 2020 and the same is pending on the file of this Court. The present petition has been filed seeking to permit the petitioner to engage an Advocate to assist the learned Public Prosecutor at the time of final hearing of the above appeal.

3.Learned Government Advocate (crl. Side) appearing for the second respondent has no objection for allowing this petition.

4.Learned counsel for the appellant/first respondent has no objection in allowing this petition. Hence, this petition stands allowed. The petitioner is entitled to receive copy of the typedset of papers on payment of necessary charges.

-sd/-  
21/12/2021

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 SESSIONS JUDGE,  
(FAST TRACK MAHILA COURT), NAMMAKKAL.



2 THE JUDICIAL MAGISTRATE,  
TIRUCHENGODE.

3 THE CHIEF JUDICIAL MAGISTRATE  
NAMAKKAL DISTRICT [FOR INFORMATION]

4 INSPECTOR OF POLICE  
TIRUCHENGODE POLICE STATION,  
NAMAKKAL DISTRICT.

5 THE SUPERINTENDENT,  
CENTRAL PRISON, COIMBATORE.

6 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

7 THE SECTION OFFICER,  
CRIMINAL SECTION,  
HIGH COURT, MADRAS.

C.C. to M/S. N.MANOCHARAN Advocate on payment of necessary  
charges

Order  
in  
CRL MP.13073/2021  
in  
CRL.A.252/2020  
Date :21/12/2021

From 7.2.2001 the Registry is issuing certified  
copies of the BAIL/Anti.BAIL Orders in this format

CSK 28/12/2021