



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Twenty Second day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.23699 & 23698 of 2021

KALAIIVANAN

[ PETITIONER / ACCUSED  
IN CRL.O.P.No.23699/2021 ]

1 JOTHIMATHI @ JOTHIMANI  
2 GANDHIMATHI

[ PETITIONERS / ACCUSED  
IN CRL.O.P.No.23698/2021 ]

Vs

THE STATE REP. BY,  
THE INSPECTOR OF POLICE,  
MUTHANDIKUPPAM POLICE STATION,  
CUDDALORE DISTRICT.  
CRIME NO.396 OF 2021

[ RESPONDENT / COMPLAINANT  
IN BOTH PETITIONS ]

For Petitioners : M/S.M.VIJAYARAGAVAN Advocate  
[IN BOTH PETITIONS]

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)  
[IN BOTH PETITIONS]

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 17.11.2021 for the offences under Sections 174(3) Cr.P.C. @ 494, 498(A) and 306 of IPC, in Crime No.396 of 2021 on the file of the respondent police, seek bail.



2. The case of the prosecution is that the deceased is the daughter of the defacto complainant and she got love marriage with one Kalaivanan in the year 2017 and that they have got a child aged 3 years. After marriage, the in-laws of the deceased harassed her by demanding dowry and the said Kalaivanan got second marriage and hence, the deceased committed suicide by hanging. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are no way connected with the suicide committed by the deceased and they have been been falsely implicated in this case. He would submit that the petitioners in CrI.O.P.No.23698 of 2021 are aged persons and they are the in-laws of the deceased and the petitioner in CrI.O.P.No.23699 of 2021 is the husband of the deceased and that they have been suffering incarceration for 35 days from 17.11.2021. Hence, he would pray for grant of bail to the petitioners.

4.The learned Government Advocate (CrI. Side) would vehemently oppose stating that the marriage of deceased took place in the year 2017 and she got a male child and within 4 years of marriage, the deceased committed suicide and that the investigation has not been completed. Further, the RDO reported is pending.

5. On seeing the grave nature of allegation and that the investigation has not been completed and if the petitioners released on bail, there is every possibility of tampering the evidence. Hence, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
22/12/2021

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 INSPECTOR OF POLICE,  
MUTHANDIKUPPAM POLICE STATION,  
CUDDALORE DISTRICT.



2 THE OFFICER INCHARGE  
SUB JAIL, CUDDALORE.

3 THE SUPERINTENDENT,  
CENTRAL PRISON-WOMEN, CUDDALORE.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

CRL OP.23699 & 23698/2021

Date :22/12/2021

JPA 05/01/2022