



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24822 of 2021

1 KOTEESWARAN
2 ANANTHAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
CHETPET POLICE STATION,
CHETPET, TIRUVANNAMALAI DISTRICT.
CRIME NO.850 OF 2021

[RESPONDENT]

For Petitioners : M/S. B.JAWAHAR Advocate

For Respondent : MR.A.GOKULAKRISHNAN, Additional public Prosecutor

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Section 306 IPC in Cr.No.1018 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the deceased/Dhatchana and the petitioners were partners. The deceased who is the son of the defacto complainant, took loan from a Finance company for which one Suresh/A1 has to pay the installments to the company. Thereafter, the deceased failed to pay the chit amount of Rs.13,000/- due to which, the said Suresh/A1 taken the auto of the deceased under his custody and placed it before the respondent police and lodged a complaint for non payment of the chit amount. Subsequently, the complaint was compromised on 27.11.2021, to the effect that the deceased shall pay Rs.13,000/- on 30.11.2021 and can take his auto. Due to mental stress and agony, the said Dhatchana went to the office of the Superintendent of Police and committed suicide by consuming poison and dead. Hence, the defacto complainant/father of the deceased lodged a complaint before the respondent police.



3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners and the deceased were mere partners and the allegation is against accused/A1, who lodged complaint against the deceased. Hence he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor submitted that the petitioners and the deceased were partners. The deceased borrowed money from the Finance Company through A1 and failed to pay the same, for which A1 took the Auto of the deceased and lodged a complaint. Due to mental stress and pressure given by A1 and the petitioners, the deceased committed suicide by consuming poison. He further submits that accused/A1 and A3 are still in custody. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the deceased and the petitioners are partners and that the deceased committed suicide due to mental stress and pressure that was given by A1 and others which requires detailed investigation and also considering that accused/A1 and A3 are still in custody, this court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
17/12/2021

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,
CHETPET POLICE STATION,
CHETPET, TIRUVANNAMALAI DISTRICT.



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. B.JAWAHAR Advocate on payment of necessary charges
SR.NO. 15147

CRL OP.24822/2021

Date :17/12/2021

JPA 23/12/2021