



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.25241 of 2021

G.SUNDARAMOORTHY

[PETITIONER / ACCUSED]

Vs

STATE REP BY
SUB INSPECTOR OF POLICE,
AVALURPETTAI POLICE STATION,
MELMALAYANUR TALUK,
VILLUPURAM DISTRICT 604201
(CRIME NO.484 OF 2021)

[RESPONDENT]

For Petitioner : M/S G.BALAMANIKANDAN 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 09.11.2021 for the offences under Section 306 of IPC., in Crime No.484 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the other accused abused the defacto complainant's daughter who is aged about 16 years during a quarrel while drawing water from the Mini Tank on the street and also assaulted her by pulling her hair. Hence, unable to bear the insult, she committed suicide by consuming poison. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is no way connected with the suicide committed by the deceased and he has been falsely implicated in this case. He would further submit that this is the second application for bail and that the petitioner has been suffering incarceration for more than 43 days



from 09.11.2021. He would further submit that A3 has been granted bail and even in the dying declaration, the petitioner's name is not mentioned. Hence he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised strong objection stating that all the accused joined together and attacked the parents of the deceased and that the deceased was also dragged to the road and beaten by the petitioner and other accused. Therefore, out of mental stress, the deceased committed suicide by hanging. He would further submit that the petitioner is arrayed as A2 and he has got one previous case and that the RDO report is pending.

5. Though the petitioner's name is not mentioned, as per dying declaration, the deceased has committed suicide only due to the alleged occurrence. Further, the RDO report is awaited. In view of the above facts and circumstances of the case and on seeing the grave nature of allegation against the petitioner, 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 SUB INSPECTOR OF POLICE,
AVALURPETTAI POLICE STATION,
MELMALAYANUR TALUK,
VILLUPURAM DISTRICT 604201

2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S G.BALAMANIKANDAN Advocate on payment of necessary charges SR.NO.15370

CRL OP.25241/2021

Date :22/12/2021

JPA 30/12/2021