



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 29/01/2021

WEB COPY

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

CRL OP(MD). No.753 of 2021

R.Moorthy

... Petitioner/Accused No.3

Vs

The State rep.by  
The Inspector of Police,  
Manamadurai Police Station,  
Manamadurai,  
Sivagangai District.  
Crime No.767 of 2020

... Respondent/Complainant

For Petitioner : Mr.M.Sankar,  
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.767/2020 on the file of the  
Respondent Police.

**ORDER :** The Court made the following order :-

The petitioner/A3, who apprehend arrest at the hands of the  
respondent police for the offences punishable under Section 174(3) of  
Cr.P.C @ 306 of IPC seeks anticipatory bail.

2. The case of the prosecution is that due to some family  
dispute between the parties on the date of occurrence the husband  
of the deceased poured kerosene and set fire on the deceased, later  
she succumbed to injuries.

3. The learned counsel for the petitioner would submit that the  
petitioner herein is the husband of the deceased and he never  
committed any offence as alleged by the prosecution. He would also  
submit that the deceased in her dying declaration have never stated  
anything about the petitioner.



4. The learned Government Advocate(Crl.Side) would submit that it is a case of suicide and he has also produced the dying declaration of the deceased.

5. It is seen that there are totally three accused in this case and the petitioner herein is arrayed as A1, who is the husband of the deceased. Further from the perusal of the dying declaration it is seen that the petitioner along with other accused were the reason for the deceased to commit suicide, hence this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-  
29/01/2021

/ TRUE COPY /

/ /2021  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE INSPECTOR OF POLICE,  
MANAMADURAI POLICE STATION,  
MANAMADURAI, SIVAGANGAI DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.753 of 2021  
Date :29/01/2021

AAV  
TK/VR/SAR.2/02.02.2021/2P/3C