



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/04/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.5909 of 2021

Soorammal

... Petitioner/Accused No.5

Vs

The State Rep. by
The Inspector of Police,
Keelakarai Police Station,
Ramnad District.
Crime No. 80/2021

... Respondent/Complainant

For Petitioner : Mr.Vadivelu.K.,
Advocate.

For Respondent : Mr.Kr.Bharathi Kannan,
Government Advocate (Crl.Side)

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

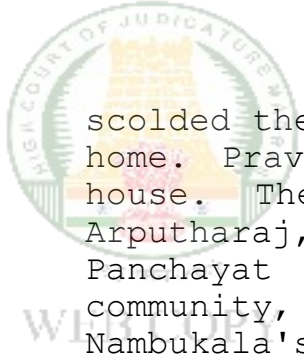
PRAYER :-

For Anticipatory Bail in Crime No. 80 of 2021 on the file of the respondent Police

ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offence punishable, under Sections 309 and 109 I.P.C, in Crime No.80 of 2021, the petitioner has come forward with the petition seeking anticipatory bail.

2.The case of the prosecution is that the defacto complainant's son namely Praveen and petitioner's daughter namely Nambukala while studying B.Com in Sethupathi Government Arts College, loved each other. They decided to go to Courtallam. If they go to Courtallam without being married as husband and wife, they will not get accommodation in the hotel, therefore, they got married before the Murugan Temple at Ramanathapuram. When they went to Madurai on the way to Courtallam, Nambukala's aunty and her daughter saw them and



scolded the said Praveen and Nambukala and asked them to go to their home. Praveen went to the defacto complainant's brother Rahman's house. Thereafter, he was called by the Panchayat President Arputharaj, Nambukala's mother and uncle. At that time, the Panchayat President Arputharaj told that both belong different community, therefore, he should not marry Nambukala. Subsequently, Nambukala's family members demanded a sum of Rs.3,00,000/- for releasing the defacto complainant's son, for which, the defacto complainant expressed her inability to pay the said amount. Thereafter, the defacto complainant brought her son to her house. After that, the said Nambukala poured kerosene upon herself and committed suicide. In consequence thereof, the said Praveen also consumed poison on 09.02.2021 and he was taking treatment at Keezhathurai Government Hospital. In this circumstance, based on the complaint given by the Nambukala's family, the defacto complainant and her son were arrested and remanded. Thereafter, on 08.04.2021 at about 11.15 p.m, the said Praveen set fire upon himself for the reason that he was prevented from marrying Nambukala and therefore, Nambukala's family members were responsible for an committing suicide. Hence, the case came to be registered.

3.The learned counsel for the petitioner submitted that a false case was foisted against the petitioner. As a counter blast, a complaint was given by the petitioner. He further submitted that the petitioner is an innocent and she has been falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the investigation is pending.

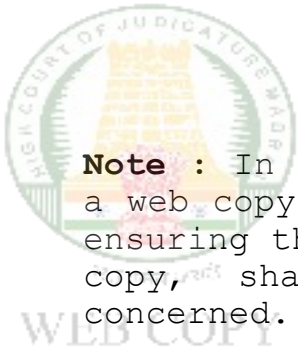
5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police.

6.It is seen from the submission that both the lovers have lost their life because of caste problem. There are specific allegations against the petitioner that she prevented the marriage between the Praveen and Nambukala. Not only that, she demanded money for releasing the Praveen. Considering the seriousness of the allegation, the nature of offence and also the fact that the investigation is in preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
26/04/2021

/ 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,
KEELAKARAI POLICE STATION,
RAMAND DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.5909 of 2021
Date :26/04/2021

MSA
TE/MNR/SAR-I : 21/05/2021 : 3P/3C