



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.6033 of 2021

1. Pandishwari
2. Pakkirisamy
3. Kuttiyamma @ Kanagadurga
4. Bavani @ Mahalakshmi
5. Siva

... Petitioners/Accused Nos.1 to 5

Vs

State Represented by
The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District,
Crime No. 148/2021.

... Respondent/Complainant

For Petitioners : Mr.K.A.S.Prabhu,
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.148/2021 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner/A1 to A5, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 306 of IPC r/w 116 of IPC in Crime No.148 of 2021, seek anticipatory bail.

2.It is seen from the submissions made that it is a case and counter case. The allegation against the petitioners is that the de-facto complainant in Crime No.147 of 2021 and the deceased Saroja had some misunderstanding with regard to the fact that the Saroja was talking with the husband of the de-facto complainant, namely, Pakkirisami. On 03.04.2021 at about 06.00 p.m., when the de-facto



complainant's husband was in the house, the deceased Saroja scolded the de-facto complainant and the deceased's brother Subramaniyan also scolded the de-facto complainant and hit her with iron rod on her right side of the back. when the de-facto complainant's husband tried to intervene, he was also attacked by Subramaniyan. The said Saroja hit on the back of the de-facto complainant's daughter Mahalakshmi. Therefore a complaint was given and registered in Crime No.147 of 2021 for the offence punishable under Sections 294 (b), 324, 506(2) of IPC and Section 4 of Woman Harassment Act. On the same day, the deceased gave a complaint in Crime No.148 of 2021 for the reason that the accused in that case including the de-facto complainant in Crime No.147 of 2021 had been abusing and talking ill of the deceased. Thereafter, she was mentally harassed and forced to commit suicide and the accused persons are responsible for her committing suicide. On the basis of her letter, the First Information Report was registered. Both the cases are pending now.

3.The learned counsel for the petitioners submitted that the petitioners are noway responsible for the suicide of the deceased Saroja, in fact they were abused and attacked by the deceased and her brother. Therefore, he seeks anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal side) submitted that the case was registered only on 04.04.2021, the role attributed the petitioners in the suicide note of the deceased, is very serious and the investigation is pending.

5.It is seen from the rival submissions that there is a dispute between the parties in connection with the deceased talking to Pakkirisami. It appears that the de-facto complainant in Crime N.147 of 2021, talked ill of the deceased, therefore, both incidents have happened. This case was registered only on 04.04.2021, the investigation is at nascent stage. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners.

6.In this view of the matter, this petition is dismissed.

sd/-
28/04/2021

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/ /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



TO

1 THE INSPECTOR OF POLICE,
ADIRAMAPATTINAM POLICE STATION,
THANJAVUR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6033 of 2021
Date :28/04/2021

sj i
AE/JC/SAR-II/21.05.2021/2P/3C