



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.6153 of 2021

1.Rajesh
2.Selvam @ Selvakumar
3.Pandi

... Petitioners/Accused Nos.1 to 3

Vs

The Inspector of Police,
Sendhamaran Police Station,
Tenkasi District.
(Crime No.116 of 2021).

... Respondent/Complainant

For Petitioners : Mr.R.J.Karthick,
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.116 of 2021 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 306 IPC in Crime No.116 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the deceased and one Rajeswari were married one and half year back and due to difference of opinion, they got separated. Thereafter, on 06.04.2021, the deceased went to the said Rajeswari's brother's father-in-law house and requested him to settle the dispute. Due to that motive, the accused came to the deceased's house with deadly weapons and abused him in filthy language and attacked him with wooden log. Due to the attack, the deceased ran to the upstairs and all the accused pursued him. Fearing that they will kill him, the deceased jumped from the upstairs. As a result, he suffered head injury and died on 07.04.2021. Hence, the father of the deceased preferred the present



3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are not responsible for the death of the deceased.

4.The learned Government Advocate(Crl.side) submitted that case was registered only on 07.04.2021 and investigation in this case is in preliminary stage. Therefore, he opposed this petition.

5.Considering the fact that the deceased was said to have been attacked by the accused due to matrimonial dispute and the fact that fearing that he would be attacked with aruval, the deceased fell down from the upstairs and died 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/-
29/04/2021

/ 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,
SENDHAMARAN POLICE STATION,
TENKASI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6153 of 2021
Date :29/04/2021

GNS
AE/AKM/SAR-III/21.05.2021/2P/3C