



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

Date : 27/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.9073 of 2021

M.Thangadurai

... Petitioner/Sole Accused

Vs

The State Represented by
The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District,
Cr No. 334/2020..

... Respondent/Complainant

For Petitioner : Mr.S.Loganathan,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 334/2020 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 07.06.2021 for the offence punishable under Section 302 of IPC in Crime No. 334 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the daughter of the defacto complainant, Vennila was given in marriage to the accused Thangadurai. They had nine months old boy and the deceased was four month pregnant at the time of death. She died because of the dowry harassment on 05.08.2020. It is the further case of the defacto complainant that the accused harassed the deceased for more than 1 ½ years demanding more dowry. On 03.08.2020, motor cycle was also purchased by the petitioner. Her daughter was killed only because of dowry harassment, therefore he gave complaint to take action against the accused Thangadurai his father Murugan and mother Samuthiram. This case was originally registered under Sections 174 (3) of Cr.P.C and now it has been altered to Section 302 of IPC. As per the alteration report, the case of the prosecution is that the



deceased was done to death by hitting on the back of her head and by strangulation. Further the deceased was four month pregnant at the time of death.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that there is no material, as of now available, to show that this petitioner played a role in causing injuries to the deceased. He would further submit that the petitioner is in judicial custody from 07.06.2021 and he got 9 months old child, hence he seeks bail.

4. The learned Additional Public Prosecutor opposed the petition on the ground that when the deceased was four month pregnant she was brutally hit on the back of the head and strangulated. He would further submit that the investigation is not yet completed.

5. The narration of the facts shows that the originally the case was registered under Section 174 of Cr.P.C and later it has been altered to Section 302 of IPC for the reason that the deceased was done to death by hitting on the back of the head and by strangulation. It is alleged that the petitioner/ accused was responsible for causing this injury. Considering the alleged role of the accused in causing injuries and strangulation of the deceased when she was pregnant for four months and also the fact that the investigation is not completed, this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-

27/07/2021

/ 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 OFFICER INCHARGE,
SUB JAIL, KOVILPATTI.

2. THE INSPECTOR OF POLICE,
SATHANKULAM POLICE STATION,

<https://hcservices.mca.gov.in/> DISTRICT.



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

WEB COPY

ORDER

IN

CRL OP(MD) No.9073 of 2021

Date : 27/07/2021

SS/VR/SAR-II/02.08.2021 : 3P/4C