



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14/07/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.9321 of 2021

S.Vanniyamoorthi ... Petitioner/Accused No.1

Vs

The State rep.by
The Sub Inspector of Police,
Karuppayoorani Police Station,
Madurai District.
Crime No. 158 of 2021.

... Respondent/Complainant

For Petitioner : MR.G.KALEESWARAN, Advocate.

For Respondent : MR.M.MUTHUMANIKKAM,
Government Advocate (Crl.Side)

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

For Anticipatory bail in Crime No. 158 of 2021 on the file of
the respondent police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Sections
341, 307 IPC in Crime No.158 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's
husband is Moorthi and she has two daughters. Two months back her
husband Moorthy and his father Duraipandi tested positive for corona
virus and her husband's father died. One Vanniyamoorthy, who is the
cousin brother of her husband, was helping her husband in his
centring contract work. The said Vanniyamoorthy used to say to the
defacto complainant that if she married him, they would have led
happy life. The defacto complainant thought that he was just
kidding. However, he continued to say like this. The defacto
complainant told him that she is already married and has two
daughters. On 27.06.2021, at about 07.45 pm., the defacto
complainant along with her husband travelling near Pandiyankottai,
the accused and some other persons came there and stopped their two
wheeler. Vanniyamoorthi demanded Rs.100/- from her husband and he
also gave Rs.100/- to him. Vanniyamoorthi took knife and stabbed on
the neck of her husband and stated that since he is alive, the



defacto complainant refused to come with him. Another person also stabbed her husband with the same knife. When she tried to intervene, she also suffered injuries. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is not completed.

5.Reading of FIR shows that the petitioner with an intention to have extra-marital affair with the defacto complainant and tried to flirt with her and she has not accepted his proposal. Believing that because of her husband, she is refusing to come with him, he attempted to commit murder of her husband. This is very serious offence. This case was registered only on 27.06.2021 and investigation is in preliminary stage. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

14/07/2021

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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 SUB INSPECTOR OF POLICE
KARUPPAYOORANI POLICE STATION,
MADURAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.9321 of 2021

Date :14/07/2021

SA/SRS/SAR.1/19.07.2021/2P/3C

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