



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/08/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD). Nos.11602 & 11841 of 2021

Soorammal ... Petitioner/Accused No.5
in Crl.O.P.(MD).No.11602 of 2021

R.Ramachandran @ Ramadoss ... Petitioner/Accused No.3
in Crl.O.P.(MD).No.11841 of 2021

Vs

State Rep. by
The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.
(Crime No.80 of 2021).

... Respondent/Complainant
in both petitions

For Petitioners: Mr.K.Vadivelu, Advocate
in Crl.O.P.(MD).No.11602 of 2021

Mr.T.Thirumurugan, Advocate
in Crl.O.P.(MD).No.11841 of 2021

For Respondent : Mr.T.Kottai Chamy
Government Advocate (Crl.Side)
(In both cases)

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

PRAYER :-

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

COMMON ORDER : The Court made the following order :-

The petitioners/Accused No.5 and 3 in both petitions respectively, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 309 and 109 of Cr.P.C, filed a petition for anticipatory bail on the file of the respondent police, No.80 of 2021 on the file of the respondent police,



seeks anticipatory bail.

2.The case of the prosecution is that one Pushpam W/o Selvaraj, had lodged a complaint before the respondent police on 09.04.2021 that her son namely praveen and one Nambukala, who is the sister's daughter of the petitioner studied in Government Arts College, Ramanathapuram and they fell in love. Due to that, they decided to visit Courtralam and it was found by the Aunt of the said girl Nambukala, Former Panchayat President. The mother of the girl and the petitioner participated in the alleged meeting and the petitioner and others abused the defacto complainant and demanded Rs.3 Lakhs to settle the issue and the boy and girl were separated in view of caste issue. Subsequently, the girl namely Nambukala had committed suicide. In view of the said suicide, the case has been registered against the boy namely Praveen and his family members in Crime No.15 of 2021 for the offence under Sections 309 and 109 of IPC. In that case, Praveen has been arrested and remanded into judicial custody. After coming out on bail, he has also attempted to commit suicide. On that basis, the present case has been registered. Subsequently, Praveen died. So the Section 306 IPC was also included and the petitioner's name has been implicated as an accused by way of alteration report.

3.It is stated that when Praveen was admitted in the hospital, the learned Judicial Magistrate No.I, Ramanathapuram, recorded a Dying declaration from the victim on 09.04.2021, wherein he has stated that he had love affair with one Nambukala, who belongs to another Community and they have also married against the wishes of their parents. The mother and the maternal uncle of Nambukala did not agree to their marriage and tried to separate them. On account of that Nambukala has committed suicide on 11.02.2021 and the victim, who was frustrated over the same, has also committed suicide by immolation. He further stated that he cannot live without his wife Nambukala.

4.From the above, it is clear that due to the casteism two young lives have been taken away. Considering the nature of offence and the dying declaration recorded from the victim, this Court is not inclined to grant anticipatory bail to the petitioners.

5.Accordingly, this criminal original petitions are dismissed.

sd/-
26/08/2021

/ 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,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) . Nos.11602 & 11841 of 2021
Date : 26/08/2021

TR/PN/SAR-I(15.09.2021) 3P 3C