



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . Nos.15843 and 15899 of 2021

1.Selvakumar
2.Mariappan

... Petitioners/A1 & A2
CRL OP(MD) . No.15843 of 2021

1.Essakkiammal
2.Essakki Rani

... Petitioners/A3 & A4
CRL OP(MD) . No.15899 of 2021

Vs

The State rep by
The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
Crime No.305 of 2021.

... Respondent/Complainant
in both the petitions

(In both petitions)

For Petitioners : Mr.V.Malaiyendran,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

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

PRAYER :-

For Bail and Anticipatory bail in Crime No.305 of 2021 on the file of the Respondent police.

COMMON ORDER : The Court made the following order :

The petitioners/A1 and A2, who were arrested on 24.09.2021 for the offence punishable under Sections 306 of I.P.C in Crime No.305 of 2021 on the file of the respondent police, seek bail.

2.The petitioners/A3 and A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 306 of I.P.C in Crime No.305 of 2021 on the file of the respondent police, seek anticipatory bail.



3.The case of the prosecution is that the defacto complainant is the sister of the deceased. Since the parents of the deceased died long back, the defacto complainant has taken care of the deceased and she solemnised the marriage of the deceased with the first accused on 12.08.2016. Due to harassment and inducement made by these petitioners, who are husband, father-in-law and sisters-in-law of the deceased, the deceased committed suicide by hanging. Hence, the complaint.

4.The learned counsel for the petitioners submits that the first petitioner and the deceased were living separately and due to ill health of the deceased, there was miscarriage and therefore, the deceased became depressed and on her own committed suicide. The petitioners never induced the deceased to commit suicide. The petitioners are in judicial custody from 24.09.2021 and hence, he seeks for grant of bail to the petitioners.

5.The learned Additional Public Prosecutor appearing for the respondent would submit that the deceased committed suicide due to the harassment of her in-laws and to prove his contention, the learned Additional Public Prosecutor has produced the diary of the deceased.

5.This Court perused the diary of the deceased produced by the learned Additional Public Prosecutor, wherein, the deceased has specifically mentioned that she committed suicide in view of the harassment of her father-in-law, mother-in-law and one Rani.

6.Considering the suicide note and the gravity of offence committed by the petitioners, this Court is not inclined to grant bail as well as anticipatory bail to the petitioners. Accordingly, these Criminal Original Petitions are dismissed.

Sd/-
21/10/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM/msa

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.



1. THE INSPECTOR OF POLICE,
PUDUKKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP(MD) . Nos.15843
and 15899 of 2021
Date : 21/10/2021

VB/VR/SAR-II/28.10.2021/3P/3C