



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.11.2021

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17585 of 2021

R.Surendhiran,

... Petitioner/Accused No.1

Vs

State Rep by,
The Inspector of Police,
Jeeyapuram Police Station,
Trichy District.
Cr.No. 518 of 2021..

... Respondent/Complainant

For Petitioner : Mr.Mariappan,Advocate for
Mr.S.Ramsundarvijayraj,Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

For Intervenor : Mr.P.M.Vishnuvarthanan,Advocate

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

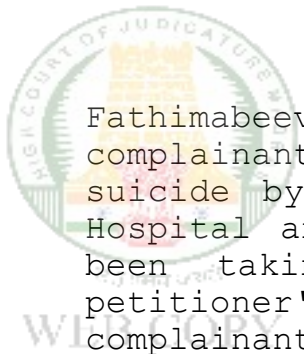
PRAYER :-

For Bail in Crime No.518 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 24.10.2021 for the offences punishable under Sections 307 IPC and Section 4 of TNPHW Act, 2002, in Crime No.518 of 2021, seeks bail.

2.The case of the prosecution is that the marriage of the defacto complainant's daughter and the petitioner/A1 was solemnized on 01.12.2013 and they were blessed with two children, that the petitioner along with his wife has been running a computer based Company, namely, Veteran Technology Solution at Trichy, that MohanRaja, Parthipan and Fathimabeevi are working in the petitioner's company, that the petitioner is said to have illicit affair with his staff Fathimabeevi, that when the same was questioned by the defacto complainant's daughter, the petitioner had neglected her and refused to snap his relationship with the said



Fathimabeevi, that on 14.01.2021 at about 10.30am the defacto complainant's daughter is said to have made an attempt to commit suicide by hanging in the ceiling fan and she was taken to ABC Hospital and thereafter, to Appollo Hospital, that the victim has been taking treatment continuously, that on 01.09.2021, the petitioner's daughter is said to have informed the defacto complainant that the petitioner alone had attempted to kill her mother and that thereafter only, complaint was lodged and on that basis, FIR came to be registered for the offence punishable under Section 307 IPC r/w Section 4 of TNPHW Act.

3.The case of the petitioner is that he has been running a computer based technology company in Trichy for the past several years, that his wife has suspected that he is having illicit relationship with his staff Fathimabeevi and for which, the petitioner's wife is said to have attempted to commit suicide, that the petitioner alone has rescued her and taken to the Hospital, that the petitioner's wife has recovered and she is stable and that after the lapse of nine months, the defacto complainant having grudge over the petitioner had lodged a false complaint implicating the petitioner, his parents, relatives and the staffs of the Company.

4.The case of the intervenor/defacto complainant is that the petitioner/first accused is having illegal relationship with his staff Fathimabeevi, that on 14.01.2012 when the defacto complainant was away in Chennai, the first accused with the help of his staff Fathimabeevi and Raja and other accused attempted to take away the life of the defacto complainant's daughter by setting up a drama, as if she hanged herself in a ceiling fan and that she was taken to hospital by her neighbour and she is still under treatment.

5.It is the further case of the intervenor that his daughter was mentally and physically tortured/harassed by the petitioner along with the second accused Fathimabeevi with the aid of other accused, that the petitioner/first accused had already eloped with the second accused Fathimabeevi twice and the complaints lodged by the father of the Fathimabeevi would reveal that the accused 1 and 2 are continuous relationship and that would be the cause and the reason behind the occurrence held on 14.01.2021.

6.The learned Additional Public Prosecutor appearing for the respondent would submit that the first accused is having illegal intimacy with the second accused and due to which, there were disputes between the petitioner/first accused and his wife and that the petitioner/first accused had attempted to kill his wife by hanging from ceiling fan and that the defacto complainant's daughter, despite treatment is unable to speak normally and she is taking treatment till now.

7.No doubt, the learned counsel for the petitioner would submit
<https://hcs.ecourts.gov.in/eservices/> petitioner/first accused alone had spent money for the



medical treatment of his wife/ daughter of the defacto complainant. As rightly contended by the learned counsel for the intervenor, mere spending of money for the medical treatment of the victim/wife will not absolve the criminal liability.

8. Considering the seriousness and gravity of the offence alleged and the way in which, the offence was allegedly committed and also the facts that the petitioner is in judicial custody only from 24.10.2021 and that the investigation is pending as stated by the learned Additional Public Prosecutor and also considering the serious objections of the prosecution, that if the petitioner is released on bail, he would tamper the evidence, this Court is not inclined to grant bail to the petitioner at this point of time.

9. Accordingly, this Criminal Original Petition is dismissed.

sd/-

24/11/2021

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

TO

- 1 THE INSPECTOR OF POLICE,
JEEYAPURAM POLICE STATION, TRICHY DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.S.RAMSUNDARVIJAYARAJ, Advocate SR No.8502[I]

+1 cc to MR.PM.VISHNUVARTHANAN, Advocate, SR.No.8512(I)

ORDER

IN

CRL OP(MD) No.17585 of 2021

Date :24/11/2021

PKP/JC/SAR-2/29.11.2021/3P/6C