



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fourth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1131 of 2022

THIRUMURUGAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE SUB INSPECTOR OF POLICE,
THIRUMANUR POLICE STATION,
ARIYALUR DISTRICT.
CR.NO.364/2021.

[RESPONDENT]

For Petitioner : M/S.C.PRABAKARAN Advocate

For Respondent : M/S.A.GOKULAKRISHNAN, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

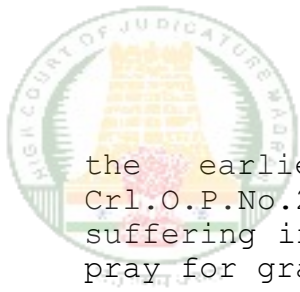
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 21.11.2021 for the offences under Section 174 Cr.P.C. @ 420 and 306 IPC, in Crime No.364 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 17.11.2021, the daughter of the defacto complainant consumed insecticide and admitted in the hospital. Later on 19.11.2021, she died. Initially the case was registered under Section 174 Cr.P.C. Later, on enquiry it was found that the petitioner had love affair with the deceased and made her pregnant. Thereafter, on the instigation of the petitioner, he aborted the foetus. Thereafter, the petitioner refused to marry the deceased. Hence, the case was altered as stated above.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the suicide committed by the deceased and the petitioner has been falsely implicated in this case. He further submitted that this is the 2nd application for bail and



the earlier application was dismissed by this Court in Crl.O.P.No.25068 of 2021 dated 21.12.2022 and the petitioner has been suffering incarceration for 60 days from 21.11.2021. Hence, he would pray for grant of bail to the petitioner.

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4. The learned Additional Public Prosecutor would raise strong objection stating that the petitioner on the false promise of marrying the deceased, made her pregnant and thereafter, induced her to abort the pregnancy and thereafter, refused to marry her. Hence, the deceased committed suicide and there is a suicide note to that effect and he produced the same before this Court and would submit that the investigation has not been completed and if the petitioner is released on bail, there is every possibility of the petitioner getting abscond and tampering the evidence.

5. Heard the learned Counsel on either side and perused the suicide note.

6. On seeing the gravity of offence and the fact that the investigation has not been completed and there is a possibility of the petitioner getting abscond and tampering the evidence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SUB INSPECTOR OF POLICE,
THIRUMANUR POLICE STATION,
ARIYALUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

+1 CC to M/S.C.PRABAKARAN Advocate on payment of necessary charges SR.NO.1135

CRL OP.1131/2022

Date :24/01/2022

TA-01/02/2022