



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirty First day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1996 of 2022

1 A.SURESH
2 R.PRAKASH

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CHETPET POLICE STATION,
TIRUVANNAMALAI DISTRICT
(CRIME NO.1018 OF 2021)

[RESPONDENT]

For Petitioner : M/S. S.B.VISWANATHAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 11.12.2021 for the offence under Section 306 IPC in Crime No.1018 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that Defacto complainant's son one Dakshina/the deceased was one of the subscribers in the unregistered chit conducted by the 1st petitioner and he was liable to pay a sum of Rs.13,000/- to the 1st petitioner. While so, the petitioner along with other accused went to house of the deceased and took his Auto Rickshaw for non payment of the amount. Therefore, the defacto complainant gave a complainant before the respondent police and after negotiation, the deceased agreed to pay the amount on or before 30.11.2021. Subsequently, on 01.12.2021, the deceased, instead of repaying the disputed amount, went to the Superintendent of Police,



Thiruvannamalai, to lodge a complaint and on the same day at about 3 p.m., the defacto complainant received a call from the office of the Superintendent of Police, Thiruvannamalai, stating that his son Dakshina consumed poison and got fainted and admitted in hospital. Subsequently, after 4 days of treatment i.e. on 05.12.2021, the deceased died in the hospital. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are no way connected with the alleged offence and the petitioners have been falsely implicated in this case. He would further submit that this is the second application for bail and the earlier application was dismissed by this Court in CrI.O.P.No.25182 of 2021 by order dated 22.12.2021 and that the petitioners have been suffering incarceration for more than 50 days from 11.12.2021 and hence he would pray for grant of bail to the petitioners.

4.The learned Government Advocate (CrI. Side) raised strong objections stating that due to the harassment committed by the petitioners and other accused, the deceased committed suicide. There are totally 5 accused in this case and the petitioners are arrayed as A1 and A3 and that A4 and A5 have been absconding. He would further submit that the investigation has not been completed and if the petitioners are released on bail, there is every possibility of the petitioners getting abscond and tampering the evidence.

5.On seeing the nature of allegations in levelled against the petitioner and that the investigation has not been completed and 2 more accused are still absconding and if the petitioners are released on bail, there is every possibility of the petitioners getting abscond and tampering the evidence, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
31/01/2022

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 INSPECTOR OF POLICE,
CHETPET POLICE STATION,
TIRUVANNAMALAI DISTRICT



2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. S.B.VISWANATHAN Advocate on payment of necessary
charges

CRL OP.1996/2022

Date :31/01/2022

JPA 10/02/2022