



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Twenty Fifth day of January Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.1025 of 2022

1 KALAIVANI
2 ARUN KUMAR
3 MATHIMITHA

[PETITIONERS/ ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
RAILWAY PROTECTION FORCE POLICE STATION,
JOLARPET, THIRUPATHUR DISTRICT.
(CRIME NO. 95/2020)

[RESPONDENT]

For Petitioner : M/S BALAJI Advocate FOR M/S. B.MUNEESWARAN Advocate

For Respondent : MR.A.GOKULAKRISHNAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offence under Section 174 of Cr.P.C altered as Section 306 of IPC in Crime No.95 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners not satisfied with the investigation conducted by the respondent, one Ravi, the brother of the deceased had filed a private complaint against the petitioners and A1 before the Judicial Magistrate, Ambur on the death of his brother and the same was taken on file as C.C.No.30 of 2021 and the same is pending. The trial Court does not have any jurisdiction to conduct an enquiry as the body was found near the Railway Track which is within the jurisdiction of the respondent and the respondent comes within the territorial jurisdiction of Judicial Magistrate No.III, Tirupattur. If at all the family members of the deceased are not satisfied with the respondent over the investigation conducted. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



4. The learned Additional Public Prosecutor submitted that there is a suicide note by the deceased he implicated all these persons, all these persons are reason for his death, till A1 is absconding, investigation not yet been completed, even as per the suicide note the deceased specifically mentioned about all these persons name. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of this case, the petitioners are the wife, son and daughter of A1 / Karunakaran, as per the submission of learned Additional Public Prosecutor it needs detailed investigation, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

25/01/2022

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,
RAILWAY PROTECTION FORCE POLICE STATION,
JOLARPET, THIRUPATHUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.1025/2022

Date :25/01/2022

RVR 04/02/2022