



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Seventh day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1695 of 2022

KUMARESAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE,
THIRUVERKADU POLICE STATION,
CHENNAI.
(CR.NO.1509 OF 2021)

[RESPONDENT]

For Petitioner : MR.A.ILAYAPERUMAL FOR M/S.S.SHANKAR Advocate

For Respondent : MR.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 23.12.2022 for the offences under Section 174(3) Cr.P.C. and altered to Section 306 IPC, in Crime No.1509 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 18.12.2021, the 2nd daughter of the defacto complainant committed suicide by hanging. Initially the case was registered under Section 174(3) Cr.P.C. and during the course of investigation, it was found that the marriage between the petitioner and the deceased was solemnized on 08.03.2019 and from the beginning, the petitioner used to harass the deceased in a drunken mood. Further, he did not take care of the deceased and inspite of various panchayats, he continued to harass the deceased in a drunken mood. Unable to bear the harassment, the deceased committed suicide. 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 he has been falsely implicated in this case and that the petitioner has been suffering incarceration for more than 35 days from 23.12.2022. Hence, he would pray for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would raise strong objection stating that the petitioner is a drunkard and the investigation has not been completed and that the RDO report is awaited. If the petitioner is released on bail, there is every possibility of the petitioner getting abscond and tampering the evidence.

5. On seeing the nature of allegation levelled against the petitioner and the investigation has not been completed and the RDO report is awaited and that there is every 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/-
27/01/2022

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,
THIRUVERKADU POLICE STATION,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.1695/2022

Date :27/01/2022

CSK 07/02/2022