



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

Wednesday, the Sixteenth day of February Two Thousand Twenty Two
PRESENT

WEB COPY

The Hon`ble Mr Justice R. PONGIAPPAN
CRIMINAL ORIGINAL PETITION No.3657 of 2022

VINOTH KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
G-3 KILPAUK POLICE STATION,
CHENNAI.
CR. NO. 532/2021

[RESPONDENT]

For Petitioner : M/S. R.MUKESH KANNAH Advocate

For Respondent : M/s.G.V.Kasthuri(Additional Public Prosecutor)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 30.11.2021 for an offence punishable under Section 302 of IPC in Crime No.532 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 28.11.2021, due to the illegal affair of the petitioner, there was a quarrel arouse between the spouses and this petitioner strangulated his wife, due to which, she got fainted and subsequently she died in the hospital. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 30.11.2021 onwards. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent police raised objection stating that investigation is pending. She would further submit that in the alleged occurrence, after murdering his wife, the petitioner made an attempt to screen the evidence and therefore, if this petitioner is released on bail, he may try to tamper the witness and hamper the investigation.



5. Considered the submissions made by the learned counsel appearing on either side. The petition mentioned case has been registered initially for the offence under Section 174(3) Cr.P.C. and after starting investigation, Section of law has been altered into Section 302 of IPC. The averments found in the First Information Report would disclose the fact that after the occurrence, the petitioner herein called his neighbour and told that his wife was fell into unconscious. The said averment found in the First Information Report would disclose the fact that after the occurrence, the petitioner attempted to screen the evidence and therefore, if he is released on bail, he may try to tamper the witness and hamper the investigation.

6. In view of the above, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

16/02/2022

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHA II,
CHENNAI

2 INSPECTOR OF POLICE,
G-3 KILPAUK POLICE STATION,
CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. R.MUKESH KANNAH Advocate on payment of necessary charges

CRL OP.3657/2022

Date :16/02/2022

RVR 23/02/2022