



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4465 of 2022

1 V.EZHILARASAN
2 KAVITHA

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
SUB INSPECTOR OF POLICE,
VOIMEDU POLICE STATION,
NAGAPATTINAM DISTRICT
CRIME NO. 39/2022

[RESPONDENT]

For Petitioner : M/S. C.UMASHANKAR Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

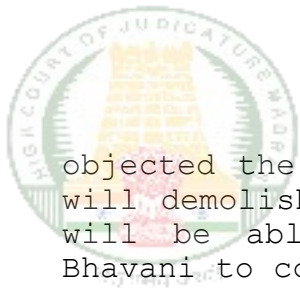
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 448, 427, 506 (ii) of IPC @ 294(b), 323, 448, 427, 506(ii) and 306 of IPC in Cr.No.39 of 2022 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

3. The petitioners herein are the named accused in FIR.No.39 of 2022 dated 12.02.2022. As per FIR, the petitioners herein have joined together and demolished the house which is the subject matter of dispute between them and the deceased Bhavani. From the FIR, it appears that when these petitioners herein went to the disputed building and started conducting Boomi Pooja, the deceased Bhavani has



objected the same. At that time, they have threatened her that they will demolish the house at any cost and also, only if she dies, they will be able to live peacefully. This instigated the deceased Bhavani to commit suicide.

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4. The learned counsel for the petitioners submitted that it is only the civil dispute and the title is with the petitioners 1 and 2. The petitioners 1 and 2 were husband and wife and the other two accused are the construction workers to carry out their construction work.

5. However, the learned Government Advocate (Crl.Side) submitted that the disputed property which is under dispute was in occupation of the deceased Bhavani and since she has been threatened and was forcibly vacated from the place, she had committed suicide.

6. Taking note of the fact that the said Bhavani was 75 years old. The incident which took place on 12.12.2021 has forced her to end her life unnaturally. The investigation regarding the title over the property has to be conducted and if anticipatory bail is granted to the petitioners, it is impossible to conduct the investigation appropriately. Hence, this Criminal Original Petition is dismissed.

-sd/-

01/03/2022

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,
VOIMEDU POLICE STATION,
NAGAPATTINAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.4465/2022

Date :01/03/2022

RW 11/03/2022