



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6268 of 2022

NATARAJAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
VOIMEDU POLICE STATION,
NAGAPATINAM DISTRICT.
(CR.NO. 39 OF 2022)

[RESPONDENT]

For Petitioner : M/S. S.ESAKKIMUTHU Advocate

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

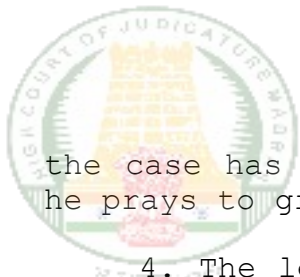
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 448, 427, 506(ii) and 306 of IPC, 1860 in Crime.No.39 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 11.02.2022, the petitioner along with other accused has demolished the house of one Pavani and being depressed over that she consumed poison and died. Initially, the case was registered under Sections 294(b), 447, 323 and 506(ii) IPC and later altered into 306 IPC, on the death of Pavani.

3. The learned counsel for the petitioner has submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner is an innocent person and was just a on-looker and by-stander of the incident and at most he could be tried only for the offence under Sections 447 and 448 IPC and not for 306 IPC which is the independent occurrence. However, because of the criminal trespass committed by this petitioner along with others, the victim has committed suicide and considering the cause of action,



the case has been altered into one under Section 306 IPC. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) has submitted that since the petitioner is still absconding, it is difficult to hold that he has no role in the trespass and abetment to commit suicide.

5. Considering the facts and circumstances of the case and the submissions made by both counsel, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original petition is dismissed.

-sd/-

24/03/2022

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 INSPECTOR OF POLICE
VOIMEDU POLICE STATION,
NAGAPATINAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.6268/2022

Date :24/03/2022

CSK 31/03/2022