



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice A.A. NAKKIRAN

CRIMINAL ORIGINAL PETITION No.11031 of 2022

SEKAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SANKARI POLICE STATION,
SALEM.
CRIME NO.142/2022

[RESPONDENT]

For Petitioner : M/S.N.R.ELANGO, Senior Counself for
M/S. A.S.ASWIN PRASANNA Advocate

For Respondent : M/S.L.BASKARAN, Government Advocate (Crl.Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(1)The petitioner/Sole Accused who was arrested on 16.04.2022 and remanded to judicial custody on 17.04.2022 for the alleged offence punishable under Section 307 IPC and altered to 302 IPC in Crime No.142 of 2022 on the file of the respondent police, seeks bail.

(2)The case of the prosecution is that on 15.04.2022, at around 3.00 p.m., the petitioner poured kerosene on his wife and set her ablaze, resulting in the registration of the case.

(3)Mr.N.R.Elango, learned Senior counsel for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the crime. He would submit that the deceased committed suicide by self immolation and the dying declaration was recorded by the Inspector of Police and the same is not attested by the doctor who treated her. It is also his submission that no dying declaration was



recorded by the Magistrate concerned. Learned Senior counsel for the petitioner would submit that the petitioner is in custody for nearly 26 days and hence, prays for enlargement of bail of the petitioner.

(4) The learned Government Advocate (Crl. Side) appearing for the respondent would submit that this is not the case of suicide as projected by the learned counsel for the petitioner and the deceased at the earliest point of time, has stated to the Investigating Officer that the petitioner was having illicit intimacy with another lady and when the deceased questioned the same, the petitioner poured kerosene on her and set her on fire. He would submit that the investigation is pending and strongly opposed for grant of bail to the petitioner.

(5) Considering the facts and circumstances of the case and considering the gravity of the offence and also considering the fact that the investigation is at premature stage, this Court is not inclined to grant the relief of bail to the petitioner.

(6) Hence, this Criminal Original petition is dismissed.

-sd/-

11/05/2022

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
SANKARI POLICE STATION,
SALEM.

CC to M/S. A.S. ASWIN PRASANNA Advocate on payment of necessary charges

CRL OP.11031/2022

Date : 11/05/2022

RW 16/05/2022