



Crl.O.P.No.28834 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 174 Cr.P.C @ 306 of IPC in Crime No.376 of 2022, seek anticipatory bail.

2.The case of the prosecution as per the *de-facto* complainant Sankar is that 26.08.2022 at about 19.45 p.m., the sister of the defacto complainant committed suicide. Based on the complaint given the defacto complainant, a case was registered under Section 174 Cr.P.C. Later during investigation, it was found that the deceased has left a suicide note and thereby, the case was altered to Section 306 of IPC. In the suicide note, the deceased had categorically stated that the accused namely Samundeshwari, Sivanesan and Palani are responsible for her death and she had also stated that they have sexually harassed her. Hence, the case.

3.The learned counsel for the petitioner would submit that this



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is the third application for anticipatory bail and the earlier applications were dismissed by this Court. He would further submit that Samundeshwari and Sivanesan have been arrested in this case and as far as this petitioner is concerned, he has nothing to do with the alleged offence. Hence, he prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner is also a main culprit in this case and he along with other two accused had sexually assaulted the victim. He would submit that the deceased is a widow lady and finding that she has nobody to support her and the petitioner along with other accused have come to her house and continuously harassed her and unable to bear the humiliation, she had committed suicide by hanging. He would further submit that the main accused is still absconding and hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor and perused the entire materials



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including the suicide note left by the victim.

6.Taking into consideration the facts and circumstances of the case and also of the fact that in the suicide note, the deceased has made specific allegation against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7.In view of the above, this Criminal Original Petition is dismissed.

30.11.2022

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