



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 07.02.2022

Delivered on : 09.02.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.1768 of 2022

Muthalagu

... Petitioner/Accused
Rank Not Known

Vs

State rep.by
The Inspector of Police,
Ramji Nagar Police Station,
Trichy District.
(Crime No.383 of 2021).

... Respondent/Complainant

For Petitioner : M/s.B.Jameel Arasu, Advocate.

For Respondent : M/s.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

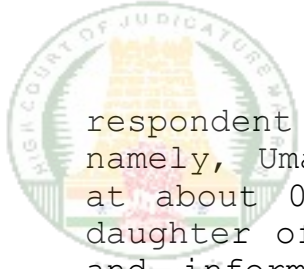
For Bail in Crime No.383 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 23.12.2021 for the offences punishable under Sections 304-B and 498(A) of IPC, in Crime No.383 of 2021 on the file of the respondent police, seeks bail.

2.No doubt, on the basis of the complaint lodged by the defacto complainant, FIR came to be registered under Section 174 Cr.P.C and subsequently, the case was altered into Sections 304-B and 498(A) of IPC

3.The case of the prosecution is that the defacto complainant, who is the father of the deceased gave a complaint before the



respondent police stating that the defacto complainant's daughter namely, Uma Maheswari married one Jayachandran, that on 22.12.2021 at about 08.30 pm in the night, a day before the occurrence, the daughter of the defacto complainant contacted her father over phone and informed that her father-in-law and her brother-in-law were abusing and causing harassment to her for insisting to make arrangement of jewels so as to attend the relative's family function and therefore, the defacto complainant pacified his daughter and informed that he would come and meet her on the next day i.e, on 23.12.2021, but, the defacto complainant had received information that his daughter had committed suicide by self immolation and died on the spot. Hence, the complaint.

4.The learned counsel for the petitioner would submit that there is no overt act attributed against the petitioner and she has been falsely implicated in the above case, merely on account of family dispute. Hence, he seeks bail.

5.The learned Additional Public Prosecutor would submit that the deceased after writing a suicide note, had committed suicide by self immolation by setting fire on her and on her daughter. He would further submit that prior to the incident, the deceased had contacted her father through cell phone and informed that in-laws were abusing and causing harassment to her.

6.The learned Additional Public Prosecutor has produced a copy of the suicide note alleged to have been written by the deceased and as rightly pointed out by the learned Additional Public Prosecutor, in the alleged letter, she has allegedly referred the petitioner and others as reason for her decision to commit suicide.

7.According to the prosecution, the accused 1 and 2 are absconding.

8.Considering the seriousness and gravity of the offence alleged and also taking note of the suicide note alleged to have been written by the deceased and also the facts that the accused Nos.1 and 2 are still absconding and that the investigation is pending, this Court is not inclined to grant bail to the petitioner.

9.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
09/02/2022

/ TRUE COPY /

Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE
RAMJI NAGAR POLICE STATION,
TRICHY DISTRICT .
2. THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1768 of 2022
Date :09/02/2022

SP/SBN/SAR IV/14/02/2022/3P/4C