



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 24/06/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.10469 of 2022

1.Uma

2.Ramamani

: Petitioners/A1 and A2

Vs.

The State

rep. By The Inspector of Police,

Vattathikottai Police Station,

Thanjavur District.

(Crime No.1156 of 2020)

: Respondent/Complainant

For Petitioners : Mr.G.Thalaimutharasu

For Respondent : Mr.R.M.Anbunithi

Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL under Sec.438 of Cr.P.C

PRAYER:-

C-64AB.For Anticipatory Bail in Crime No.1156 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners, who are arrayed as A1 and A2 apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 352, 324 and 307 IPC @ 294(b), 352, 302 IPC, in Crime No.1156 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the deceased Sneha made a complaint with the following allegations:- Her father was owning a car, which was used to be taken by one Jagadeeswaran for urgent purpose. Like that, the car was taken by Jagadeeswaran and later returned. At the time, there was a power failure. Using the power cut, the above said Jagadeeswaran tried to misbehave with her. She made a cry and her parents came. On seeing the parents, Jagadeeswaran ran away from that place. Her brother Malaisamy went to the Jagadeeswaran's house to warn him. But on the next day



morning, she was told that Jagadeeswara committed suicide.

3. On 22/08/2020 at about 01.30 pm, one Uma and Ramamani came to her house and assaulted her with wood logs and brooms. It was witnessed by the neighbours. She ran into the house, Ramamani and Uma poured kerosene stating that she is responsible for the suicide of the Jegadeeswaran and set her fire. She was taken to the hospital and her statement was recorded.

4. Seeking anticipatory bail, Uma and Ramamani have filed this petition.

5. The learned counsel appearing for the petitioners would submit that the statement of the father of the victim, which was recorded during the course of investigation is quite contra to the prosecution case, wherein he has stated to the effect that because of the above said issue, the victim herself committed suicide by pouring kerosene.

6. But the learned Additional Public Prosecutor would rely upon the dying declaration of the deceased, wherein she has stated that as mentioned above, these petitioners alleged to have poured kerosene and set her on fire, which version is a matter for investigation. Since it is a case of murder, unless strong has been made out by the petitioners, they are not entitled for anticipatory bail.

7. When serious allegation of murder by pouring kerosene, it require thorough investigation by subjecting the petitioners to custodial interrogation. The above said Gunasekaran, who is the father of the victim, moved petition before this court in WP(MD) No.4143 of 2021 seeking transfer of investigation. So, as mentioned earlier, which version is correct is a matter for investigation. No strong has been made out by the petitioners to grant anticipatory bail.

8. Perusal of the CD file shows that repeatedly these petitioners filed anticipatory bail applications and all these petitions have been dismissed as withdrawn. The reason for withdrawing is not disclosed.

9. In the result, this petition is **dismissed**.

sd/-
24/06/2022

/ TRUE COPY /

/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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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,
Vattathikottai Police Station,
Thanjavur District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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TR/GSV/SAR-iv (29.06.2022) 3P 3C