



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 24/06/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.10621 of 2022

Sivakumar ... Petitioner/Accused(Sole)

Vs

State rep.by
The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
(Crime No.115 of 2022).

... Respondent/Complainant

For Petitioner : M/s.K.P.S.Palanivelrajan, Advocate
for M/s.Murali Kumar A,Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.115 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 Cr.P.C., @ 306 I.P.C., in Crime No.115 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the deceased, who is the daughter of the defacto complainant, got married during 2009 and gave birth to two children, that the petitioner is alcoholic and used to quarrel with the deceased often and that on 25.02.2022, the accused said to have quarrelled with the deceased and due to that, on 28.02.2022 the deceased had committed suicide by hanging herself.



3. It is evident from the records that originally, the case was registered in Cr.No.115 of 2022 under Section 174 Cr.P.C., and subsequently, the case was altered to Section 306 I.P.C. No doubt, the petitioner's earlier application in CrI.O.P.(MD)No.8063 of 2022 was ordered to be dismissed as withdrawn vide order dated 28.04.2022.

4. The learned Counsel for the petitioner would submit that the petitioner had extended financial assistance to the tune of Rs.3,00,000/- to the parents of the deceased, that before five months, his father-in-law suffered from kidney problem, for which, the defacto complainant asked him to advance a sum of RS.4,00,000/- to meet out the medical expenses, that the petitioner borrowed a sum of Rs.3,00,000/- and gave the same to his mother-in-law, in which Rs.1,50,000/- was repaid and the rest of the amount was not paid, that thereafter the family members of the petitioner's wife had insisted him to pay a sum of Rs.3,00,000/- again for performing his wife's sister's marriage, but the same was refused by him, that the petitioner's mother-in-law had given ill-advise to her daughter and that due to frustration and mental agony given by her, the deceased had committed suicide and that the petitioner's mother-in-law had spread vague allegations, as if the petitioner was an alcoholic and was the culprit.

5. The learned Additional Public Prosecutor appearing for the State would submit that the case was now altered to Section 306 I.P.C., and that the investigation is pending.

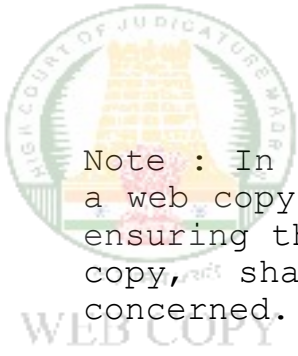
6. Considering the seriousness and the gravity of the offence alleged and also the fact that the investigation is pending as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant anticipatory bail to the petitioner at this point of time.

7. In the result, the Criminal Original Petition is dismissed.

Sd/-
24/06/2022

/ TRUE COPY /

27/06/2022
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,
SUBRAMANIAPURAM POLICE STATION,
MADURAI CITY.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.10621 of 2022
Date :24/06/2022

SP/VR/SAR IV/27/06/2022/3P/3C