



WEB COPY

(1)Crl.OP(MD)No



2:-

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 29/08/2022

PRESENT

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

Crl.OP(MD)Nos.14295 and 14296 of 2022

(1)Crl.OP(MD)No.14295 of 2022:-

Tharamary @ Saratha Devi : Petitioner/Accused No.2

Vs.

The State
Rep. By Inspector of Police,
Thogamalai Police Station,
Karur District.
(Crime No.145 of 2022)

: Respondent/Complainant

For Petitioner : Mr.M.Karunanithi, Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate
(Criminal side)

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

PRAYER :- For Bail in Crime No.145 of 2022 on the file of the Respondent Police.

(2)Crl.OP(MD)No14296 of 2022:-

Mohanraj : Petitioner/Accused No.1

Vs.

The State rep. By
The Inspector of Police,
Thogamalai Police Station,
Karur District.
(Crime No.145 of 2022)

: Respondent/Complainant

For Petitioner : MrM.Karunanithi, Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Criminal side)



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

PRAYER:- For Bail in Crime No.145 of 2022 on the file of the Respondent Police.

COMMON ORDER:- The Court made the following order:-

The petitioners, who are arrayed as A1 and A2 were arrested on 25/07/2022 and remanded to judicial custody for the offences under section 174(3) Cr.P.C @ 304(B) IPC and section 4 of Dowry Prohibition Act in Crime No.145 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the de-facto complainant is mother of the deceased, who committed suicide, the wife of the first accused. A2 is the mother in law of the deceased. The de-facto complainant stated in her complainant that there was love marriage between her daughter and A1. That was not informed to the parents. On enquiry, the neighbours stated that the family of the petitioner are good people and no bad antecedent is reported against him. The deceased used to talk with the de-facto complainant and her husband over phone daily and during the above said the telephonic conversation, the deceased repeatedly telling that A2 demanding money and jewellery making trouble.

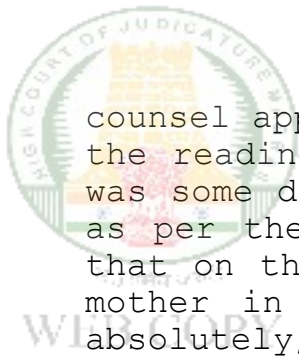
3.On one day, the deceased came to the house. At that time, she told that the husband and mother in law are making trouble and torturing demanding money, for which they promised to arrange the money. So on 30/04/2021, again at about 9.00 when the deceased was talking with her over phone when they are going to bring money, cried saying that she has been tortured. At 12.00 noon she was informed that the deceased committed suicide. She went to the hospital and saw the deceased body. Over the above occurrence, the case was registered.

4. Seeking bail, both the accused are before this court.

5. Heard both sides.

6. It is case of suicide and during the course of investigation, it was found that demanding money jewellery, the deceased was harassed and ill-treated by the both accused. Because of that only, she committed suicide. The suicide occurred within one year from the date of marriage, the prosecution would say that as per the enquiry that was undertaken by RDO, it was found that only due to the ill-treatment and dowry demand, the suicide has been committed by the deceased.

7. So according to the prosecution, it is a clear case of dowry suicide. When dowry was demanded by the accused persons. The learned



counsel appearing for the petitioners would submit that even after the reading of the FIR as well as other materials shows that there was some domestic issue between wife and the mother in law and even as per the statement of the de-facto complainant, it is seen that that on the date of occurrence, the mobile phone was seized by the mother in law and broken. So the deceased committed suicide and absolutely, the mobile was seized by the mother in law and broken, so the deceased committed suicide and absolutely, it is purely a love affair. Now within a short time of marriage the death has occurred. Since it is case of dowry death, if the petitioners are released on bail, there is every likelihood of hampering the investigating process.

8. In the result, both criminal original petitions are **dismissed**.

sd/-

29/08/2022

/ TRUE COPY /

/09/2022

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

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TO

1. THE SUPERINTENDENT,
CENTRAL PRISON (FOR WOMAN),
TRICHY.
 2. THE OFFICER IN CHARGE,
SUB JAIL, KULITHALAI, KARUR DISTRICT.
 3. THE INSPECTOR OF POLICE,
THOGAMALAI POLICE STATION,
KARUR DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +2. CC to M/S.KARUNANITHI M Advocate SR.No.9263,9264

ORDER

IN

Crl.OP(MD)Nos.14295 and 14296 of 2022

Date :29/08/2022

RK/SVR/SAR-4 (09/09/2022) 3P/7C