



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.20926 of 2022

M.Seenidurai

... Petitioner/Accused

Vs

The State rep.by,
The Inspector of Police,
Thirukurungudi Police Station,
Tirunelveli District.
(Crime No.119 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Sukumar V,
Advocate

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

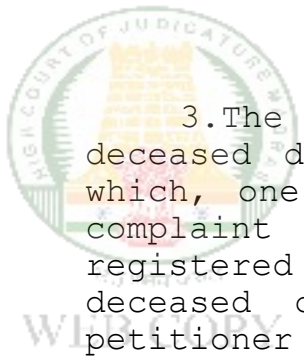
PRAYER :-

For Anticipatory Bail in Crime No.119 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 Cr.P.C @ Section 306 of IPC in Crime No. 119 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the first accused is having intimacy with the petitioner. The deceased, who is the husband of the first accused, came to know the same and warned her, but they continued the same, due to which, a quarrel arose between them and they were having co-habitation in the presence of the deceased and unable to tolerate the same, the deceased committed suicide on 13.10.2022. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the deceased damaged the Sudalaimada Swamy Temple deity statue, for which, one Dharamalingam, on behalf of the village people, made a complaint before the respondent police. Therefore, the case was registered in Crime No.117 of 2022. By fearing on arrest, the deceased committed suicide. He would further submit that the petitioner is innocent and he has been falsely implicated in this case. Further the first accused was arrested and thereafter, released on bail. Hence, he may be granted anticipatory bail.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that due to illegal relationship between the first accused and the petitioner, the deceased committed suicide. He would further submit that investigation is not yet completed. Hence, he opposed to grant anticipatory bail to the petitioner.

5.Considering the seriousness and gravity of the offence and also considering the strong objection raised by the prosecution, stage of the investigation, custodial interrogation of the petitioner is very much necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
25/11/2022

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/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cp

TO

1.THE INSPECTOR OF POLICE,
THIRUKURUNGUDI POLICE STATION,
TIRUNELVELI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.20926 of 2022
Date :25/11/2022

RK/SSS/SAR-3 (15/12/2022) 2P/3C

<https://www.mhc.tn.gov.in/judis>