



CrI.O.P.No. 3895 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 29.11.2022 for the alleged offence under Section 174 (3) Cr.P.C. and subsequently it was altered into Section 306 of I.P.C. in Crime No.278 of 2022 on the file of the respondent police, seeks bail.

2. The case of prosecution is that on 21.09.2022, due to depression and due to the continuous harassment made by the petitioner, both wife and children consumed poison and died. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that on 11.02.2019 the petitioner and deceased wife got married and the same was a love marriage and both were lived in a separate matrimonial home without the support of their parents and they blessed with a male child. After child



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birth, both family was reunited and both were delighted, however, due to some misunderstanding between them, his wife committed suicide. He would submit that he did not know about her decision and he has not caused any trouble to his wife and only the monthly income of petitioner not enough to run a family in a good manner. He would also submit that only at the instigation of her parents, the deceased committed suicide. He would submit that he is an innocent person and he is no way connected with the offence and he has not committed any of offence as alleged by the respondent police. He would also submit that he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. He would also submit that the petitioner has been suffering incarceration from 29.11.2022 and this is the second petition seeking for bail. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that he is the sole accused and husband is the petitioner. He would submit that he is a drunken person and as he is having affair with another lady and he has not taken care of the family and also due to continuous harassment made by husband, both wife and child consumed



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poison and died. He would also submit that if he is released on bail, he may abscond would hamper the investigation and tamper the witnesses and the investigation is not yet completed. However, he would vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioner, and as per the allegation in F.I.R., on the date of occurrence, as this petitioner used to consume alcohol and had a quarrel with her and due to his harassment and also not taking care of the family, she committed suicide along with a child by consuming poison, thereby both were died and on considering the fact that RDO enquiry is still pending and on considering the fact that if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

21.02.2023

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