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CrI.O.P.No.23530 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.166 of 2023 for the offences under Sections 174 Cr.P.C and subsequently, altered under Sections 306 IPC.

2. It is a case where a practising advocate had been shown as an accused.

3. It is stated by the learned counsel for the petitioner that the petitioner had been in relationship with the deceased who is a young girl of 19 years studying in 2nd year B.COM. It is stated that after she joined in college, the petitioner suspected that she had forged a relationship with one of her collegemates called Sakthi @ Sakthikumar. It is complained that the petitioner had raised objection relating to that particular aspect. It is very specifically stated that the deceased, on 15.09.2023, had cut her neck with a knife and also her wrist in public.



Crl.O.P.No.23530 of 2023

WEB COPY

4. The learned counsel for the petitioner stated that the petitioner had not deserted her at that time, but had taken her to a hospital and had given her treatment. It is also stated that thereafter he had handed her over to her friend, but unfortunately on the very same day, she went home and committed suicide by hanging.

5. Learned counsel for the petitioner stated that there are whatsapp messages to show that said Sakthi @ Sakthikumar had inappropriately communicated with the deceased and stated that the said Sakthi @ Sakthikumar is the one who is responsible for committing suicide by the deceased. It is also stated that however, the respondent police had taken an antagonistic stand against the petitioner and have shown Sakthi @ Sakthikumar only as a witness but has arrayed the petitioner as an accused. This is an issue which have to be examined during the course of investigation.

6. On the side of the respondent, the learned Government Advocate (Criminal side) strongly opposed for grant of any relief and stated that investigation had not even started, since the petitioner had not been secured.



Crl.O.P.No.23530 of 2023

It is stated that a young lady had cut her neck and wrist in public road and on the same day, had gone home and committed suicide by hanging. It is stated that further investigation is required owing to the unnatural death of the young lady and the reason why she had taken such an extreme step.

7. Learned counsel for the petitioner pleaded that the petitioner is a practising advocate and therefore stated that some consideration may be given by this Court. It is also stated that he had paid the college fees of the deceased and showed extreme care for her, owing to their relationship, but at the same time, complained that the deceased had forged relationship with one of her collegemate namely Sakthi @ Sakthikumar. These are all aspects which can be examined only during the course of investigation. Even though, the learned counsel for the petitioner pleaded about the merits of the case sofaras the petitioner is concerned, taking it as any other case under Section 306 IPC, it is only appropriate that the respondent are given opportunity to investigate the entire issue. That could be done only if the petitioner is secured and anticipatory bail is not an answer.



Crl.O.P.No.23530 of 2023

WEB COPY

8. In view of all the facts, I am not inclined to grant anticipatory bail to the petitioner.

9. However, a direction is given to the respondent that during the course of investigation, if they get any information about Sakthi @ Sakthikumar, then they may proceed to examine that particular aspect also.

10. With the above direction, this Criminal Original Petition is dismissed.

31.10.2023

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WEB COPY



Crl.O.P.No.23530 of 2023

C.V.KARTHIKEYAN, J.

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Crl.O.P.No.23530 of 2023

31.10.2023