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Crl.O.P.No.24461 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence registered under Sections 174 of IPC subsequently, altered to Section 306 of IPC in Crime No.707 of 2023, seek anticipatory bail.

2. The petitioners herein are father and son,. They are both partners in an Electrical Contract Company. The deceased who committed suicide was an employee. It is alleged that he had committed theft. This was also identified in the CCTV camera. The petitioners should have lodged a complaint for that particular act. On the other hand, they appears to have called him over for an enquiry. The learned Senior counsel submitted that after enquiry, the deceased was dropped back in his house and no further role was played by the petitioners at all and contends that the petitioners cannot be blamed for the act of committing suicide by hanging by the deceased employee. A perusal of



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the Post mortem report shows Ante-mortem injuries in the legs. There are also contusion injuries in both the legs and in the knee and in the thighs. The only inference is that the defacto complainant was severely beaten before he committed suicide. These are all aspects to be examined during the course of investigation. The learned Senior counsel states that the second petitioner is an engineering graduate and that there is no specific overt act as against the second petitioner. It is also simultaneously contended that the deceased was always under the influence of alcohol even when he came to work and photographs have been produced to portray him as a person who is always drunk. Tarnishing the image of a person after his death cannot be accepted. He had been an employee under the petitioners and they should have taken steps in manner known to law, even if he had committed theft of any of the articles.

3. The learned Senior Counsel also stated that the Court should impose some compensation to be paid to the family of the defacto complainant. But in the affidavit filed in support of this petition, there is



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no indication or readiness to pay any compensation. The Court cannot suo-motu value the life of the deceased person. Further enquiry will have to be conducted particularly with reference to the ante-mortem injuries on the deceased.

4. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. This Criminal Original Petition stands dismissed accordingly.

20.10.2023

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