



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eighth day of February Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.787 of 2023

1. Vairamuthu

2. Manikandan

*(This petition is dismissed as withdrawn
as against the second petitioner, as
per the order of this Court, dated 01.02.2023)*

... Petitioners/Accused No. 2 & 4

Vs

The state rep. by,
The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
Crime No.469 of 2022.

... Respondent/Complainant

For Petitioners : M/s.Selvakrishnan.S,

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

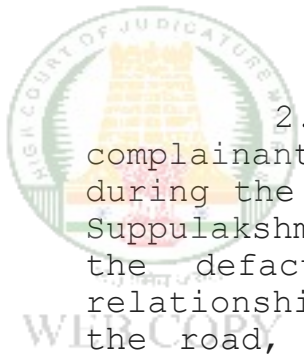
PRAYER :-

For Anticipatory Bail in Crime No.469 of 2022 on the file
of the Respondent Police.

ORDER : The Court made the following order :-

This Criminal Original petition is dismissed as withdrawn
as against the second petitioner, as per the order of this Court,
dated 01.02.2023.

The first petitioner/Accused, apprehending arrest at the
hands of the respondent police for the alleged offence punishable
under Sections 147, 294(b), 306 of I.P.C, in Crime No.469 of 2022,
on the file of the respondent police, seeks anticipatory bail.



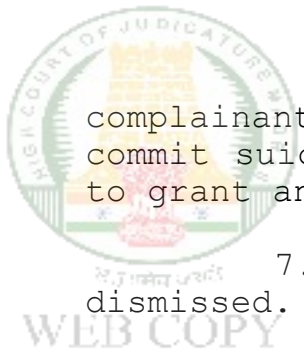
2. The case of the prosecution as per the complainant Mahalingam is that he got married to one Suppulkshmi, during the year 2012 and they have two children. While so, the said Suppulkshmi had developed illicit intimacy with one Murugan/A1 and the defacto complainant had requested Murugan to sever the relationship. Whenever the defacto complainant used to pass through the road, the accused Murugan and his friends used to tease him saying that he is infirm. He informed the same to his younger brother and he had also rebuked the friends of Murugan not to tease the defacto complainant. While so, on 24.10.2022 when he was going to take bath along with his brother, the accused persons had once again teased them and also removed the Dhoti of his brother. They also once again tease them, assaulted them and also abetted his brother to commit suicide. Pursuant to which, on the same day, his younger brother had attempted suicide, by self-immolation. He was taken to hospital, without responding to the treatment his younger brother died. Based on the statement of the defacto complainant, a case has been registered.

3. The learned counsel for the first petitioner submitted that he is innocent and not committed any offence, as alleged by the prosecution. He has been falsely roped into the case, since he is a relative of Murugan/A1. Hence, prays to release him on anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that the first petitioner is the nephew of Murugan/A1. The said Murugan had developed illicit intimacy with the wife of the defacto complainant. The defacto complainant and his brother questioned the same. For that, the accused persons continuously harassed and teased the defacto complainant and his brother. While so, on 24.10.2022, the first petitioner, the said Murugan and his friends not only teased them, but also assaulted them and also removed the Dhoti of his brother. Being humiliated by the acts of the accused persons, the deceased had committed suicide by way of self immolation. The names of the first petitioner and other persons, who were involved in the incident have also been mentioned in the FIR. Hence, prays to dismiss the petition.

5. In an earlier occasion, the first petitioner had stated that he is suffering from cancer. Hence, this Court on 01.02.2023, directed the respondent to file a report from the Doctor, whether the first petitioner is suffering from Cancer. Today, the respondent Police has filed a report in this regard. Perusal of report, this court finds that the first petitioner is not suffering from cancer.

6. Heard the learned counsel appearing on either side and perused the materials placed before this Court. There are specific allegations as against the first petitioner that he along with other persons teased, humiliated and assaulted the defacto



complainant and the deceased and also they abetted the deceased to commit suicide. In view of the above, this court is not inclined to grant anticipatory bail to the first petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
08/02/2023

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/02/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. THE INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.787 of 2023
Date :08/02/2023

NA/SBN/SAR-I/16.02.2023/3P/3C