



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

Date : 06/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.9721 of 2023

1. Ramachandran
2. Tamilselvi
3. Mani

... Petitioners / Accused No.1 to 3

Vs

The State represented b
The Inspector of Police,
Thevaram Police Station,
Theni District.
(Crime No.41 of 2023.)

... Respondent / Complainant

For Petitioners : M/s.Balaji.S, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.41/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused who apprehend arrest at the hands of the respondent police for the offences punishable under sections 174(3) of Cr.P.C @ 306 of IPC in Crime No. 41 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The crux of the complaint is that the first petitioner is the son of the second and third petitioners. One Avanthika was married to the first petitioner on 08.02.2022 and from the date of marriage there was quarrel between the deceased wife and the husband. In the meantime the brother of the first petitioner died due to current shock so the first petitioner came to the home town and participated in the final rites of his brother. At that time the wife of the deceased tried to speak to her husband but he refused, and she consumed poison and she was admitted in the hospital but



later she died, hence the case,

3. Heard both side and perused the materials available on record including the First Information Report.

4. There are totally three accused in this case and the petitioners herein are arrayed as A1 to A3. Initially the case was registered for the offence under section 174(3) of Cr.P.c and subsequently altered to section 306 of IPC. The first petitioner got married the deceased on 08.02.2022. He was working as a CRPF police in Assam. From the date of marriage there was quarrel between them in respect of pregnancy, therefore all the accused persons scolded her in filthy language. While being so, the brother of the first petitioner died due to electrocution, therefore in order to save the jewels which were presented to the brother of the first accused and also to get share from her family members all the accused persons compelled the deceased to give consent to marry the deceased brother wife one Priyanka. The deceased refused to sign in the consent letter and as such again compelled to give consent to marriage and had beaten her, therefore the deceased got humiliated and consumed poison. Immediately she was taken to hospital but later she died, therefore custodial interrogation of the petitioners is very much required in this case, hence this Court is not inclined to grant anticipatory bail to the petitioners.

5. In the result, the petition stands dismissed.

sd/-

06/06/2023

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/06/2023

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

AAV

To

1. The Inspector of Police,
Thevaram Police Station,
Theni District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.9721 of 2023

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