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

Dated: 20/07/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.12961 of 2023

Palani @ Palanikumar

: Petitioner/ A1

Vs.

The State by rep.
The Inspector of Police,
Vembakottai Police,
Virudhunagar district.
(In Crime No.168 of 2023)

: Respondent/ Complainant

For Petitioner : Mr.M.Jegadeesh Pandian, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER:-For Bail in Crime No.168 of 2023 on the file of the Respondent Police.**ORDER:** The Court made the following order:-

The petitioner/A1, who was arrested and remanded to judicial custody, on 05/07/2022 for the offences punishable under sections 294(b), 306 IPC r/w section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.168 of 2023 on the file of the respondent police, seeks bail.



2.The case of the prosecution in brief:-

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The de-facto complainant lodged a complaint stating that his deceased wife borrowed a sum of Rs.70,000/- from Village Vidial @ Micro Finance Company, Sivakasi some five months prior to the occurrence. She was repaying amount in installment. On 15/06/2023, there was a delay in paying the installment. At that time, at about 08.00 am, A1 namely Palani Collection Agent and the Head of the above said Group A2 came there and asked the deceased to pay the amount on or before 17/06/2023. She was insulted, dishonoured and humiliated stating that if she is not in a position to return the money, she will have to die. The above said humiliation and insult witnessed by the neighbours. When he returned to the clear function the deceased the informed the above said offence. On the next day, he went to the work at about 08.20 pm, he was informed that there was an attempt to commit suicide. He returned to the home took the deceased to the hospital. On the basis of the above said occurrence, a case was originally registered under sections 294(b) IPC and section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, Not responding to the treatment, the deceased died in the hospital. On 25/06/2023, the case was altered into 306 IPC.

4.During the course of investigation, finding that because of the abetment of

<https://www.mhc.tn.gov.in/judis>

suicide committed by this petitioner, the deceased died by taking pills. He was



arrested and remanded to judicial custody, on 05/07/2023 and ever-since, he is in custody.

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5.This petition has been filed on the ground that the deceased was the regular customer and was paying the amount on installment basis regularly. Even as per the allegation made in the FIR, the deceased was taking pills for hypertension. By taking extra pills, the above said suicide attempt has been committed. According to him, this cannot be taken as abetment of suicide.

6.Per contra, the learned Additional Public Prosecutor would submit that the above said suicide was committed by the deceased because of the humiliation, dishonour, and abetment of suicide committed by the petitioner.

7.Perusal of the CD file shows that on the previous occasion also, the deceased borrowed money through this group and was regularly paying the same. On this particular date of occurrence, because of his inability, he could not pay the installment.

8.When the allegation of abetment of suicide committed by money lender, I am of the considered view that if the petitioner is released on bail, the investigation process may be hampered. So this is too early stage to consider this bail petition. I find no circumstances in favour of the petitioner to entertain this bail application.



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9. In the result, this criminal original petition is **dismissed**.

sd/-
20/07/2023

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/07/2023

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

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TO

- 1 THE INSPECTOR OF POLICE
VEMBAKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.12961 of 2023
Date :20/07/2023

SS/BUC/29/07/2023/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023