



Crl.OP(MD)No.13672 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 02/08/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

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M.Neelambika

... Petitioner/Sole Accused

Vs.

The State rep. by
The Sub Inspector of Police,
Puliangudi Police Station,
Tenkasi District.

....Respondent/Complainant

For Petitioner : Mr.D.Shanmugaraja Sethupathi, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER:-For Anticipatory Bail in Crime No.275 of 2023 on the file of the Respondent Police.

ORDER: The Court made the following order:-

The petitioner, who is arrayed as sole accused apprehends arrest at the hands of the respondent police for the offence punishable under section 305 IPC, in Crime



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No.275 of 2023 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that on 18/07/2023 at about 08.45 am, her daughter namely Muneeswari went to the school. Later, returned to the house at about 05.00 pm. At about 06.00 pm, her mother namely Chinnthai went to the house and found the door locked, it was not opened. Through window, she saw that the her daughter Muneeswari committed suicide by hanging. On the basis of the above said occurrence, a case was registered under section 174 Cr.P.C initially. During the course of investigation, it came to light that because of the scolding of the deceased by this petitioner, she committed suicide. A suicide note is also recovered from that place. On that basis, this petitioner has been arrayed as an accused.

3.Seeking anticipatory bail, this petition has been filed on the ground that during the relevant time, this petitioner was working as a Teacher and as the Headmistress on medical leave, she was holding additional in-charge.

4.On 18/07/2023, the deceased went to the office for collecting her records. So, she attended class lately, that was scolded by this petitioner and she was asked to turn outside. Because of that, she was mentally depressed and frustrated and in the evening time, again he approached this petitioner, at that time, the petitioner alleged to have told the deceased that she could not attend the class. So because of that also,



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she became distressed. Again, after some time, this petitioner scolded the deceased stating that TC will be issued on the next day. So because of the continuous scolding and ill-treatment, the deceased committed suicide.

5.Finding that the issue between the school teacher and the deceased student, the petitioner was directed to be present before this court. She was also present and stated that she never scolded and ill-treated the deceased. She only enquired her, except that she did not either warn or humiliate the deceased.

6.But whether circumstance was created by the petitioner to drive the deceased to commit suicide is a matter for investigation, after the final report by the trial court.

7.The learned Additional Public Prosecutor would rely upon the suicide note left by the deceased. She narrated the entire occurrence took place in the school.

8.Reading of the suicide note does indicate that on the whole day, there was some problem for her in the school, because of the treatment met out this petitioner. Whether the above said ill-treatment is sufficient enough to show that it is a clear case of abetment of suicide is only a matter for consideration by the Investigation officer, as noted above.

9.Considering the position of the petitioner, I am of the considered view that no custodial interrogation is required in the facts of the case. But she must appear



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before the respondent police and cooperate with the process of investigation. Since she is working as teacher, she must appear before the respondent police on every Saturday and Sunday at 10.30 am until further orders.

10.In view of the above, this court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate, Sivagiri and on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and on further condition that the petitioner shall appear before the respondent police on every Saturday and Sunday at 10.30 am, until further orders. The petitioner shall comply with the condition stipulated under [Section 438](#) Cr.P.C. scrupulously.

sd/-
02/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ER

TO

1 THE JUDICIAL MAGISTRATE,
SIVAGIRI.

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



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- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
PULIANGUDI POLICE STATION, TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SHANMUGARAJA SETHUPATHI D Advocate SR.No.11727

ORDER
IN
CRL OP(MD) No.13672 of 2023
Date :02/08/2023

PKP/MMS/SAR- /09.08.2023/ 5P/6 C

Madurai Bench of Madras High Court is issuing certified
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