



Crl.A.(MD).No.625 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2023

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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1.Selvam

2.Panjavarnam

... Appellants/
Accused Nos.2 & 3

Vs.

1.State Represented by
The Assistant Commissioner of Police,
Thirupparankundram,
Madurai City.

2.The State through
The Inspector of Police,
Thirupparankundram Police Station,
Madurai City.

3.Selvam

... Respondents



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PRAYER : Criminal Appeal filed under Section 14(A)(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amended Act, 2015, to set aside the order dated 14.07.2023 made in Crl.M.P.No.2088 of 2023, on the file of the III Additional District and Sessions Judge (PCR), Madurai, and enlarge the appellants on bail.

For Appellants : Mr.B.Muneeswaran

For Respondents : Mr.Vaikkam Karunanithi
Government Advocate (Crl.Side)
for R1 & R2

: Mr.A.Vadivel for R3

ORDER

This Criminal Appeal has been filed against the order dated 14.07.2023 made in Crl.M.P.No.2088 of 2023, on the file of the III Additional District and Sessions Judge (PCR), Madurai, and enlarge the appellants on bail.

2. The appellants are the accused Nos.2 and 3 in Crime No.224 of 2021, filed the bail petition. They said to have committed the offence under



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Section 302 of IPC r/w 3(2)(v) of SC/ST Act, the appellants/accused filed the bail petition before the III Additional District and Sessions Judge in Crl.M.P.(MD).No.2088 of 2023, on the file of the PCR Court. The learned trial Judge, after considering all the material, dismissed the bail petition by passing the impugned order dated 14.07.2023.

3. The learned counsel for the appellants submitted that the appellants were no way connected with the occurrence and they have been falsely implicated in this case. Further, the appellants were given proper treatment to the deceased. The deceased has committed suicide on her own. Therefore, the offence is not made out against the appellants. The appellants are in prison for the past 90 days and hence, he seeks indulgence of this Court to grant bail to the appellants.

4. The learned Additional Public Prosecutor appearing for the respondents, on instructions submitted that the investigation was completed and the final report was filed before the Special Court and the same was also



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taken on file in S.C.No.64 of 2023 and it was adjourned to 16.09.2023 for questioning of accused.

5. The learned counsel for the defacto complainant submitted that the deceased and the first accused loved each other and got married, subsequently, all the accused committed murder. Further, if the appellants are released on bail, they will cause hindrance to the examination of witnesses and also there is a possibility of tampering of witnesses.

6. This Court considered the rival submissions made on either side and perused the materials available on record.

7. It is an admitted fact that the occurrence took place on the house of the accused. In the said circumstances, according to the allegation of the defacto complainant, they did not take any steps to safeguard the life of the deceased. Further, according to the defacto complainant, there is every possibility of tampering the witnesses. Considering all these



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circumstances, this Court accept the reasoning given by the learned trial Judge and finds that there is no infirmity and perversity in the order passed by the trial Court.

8. Accordingly, this Criminal Appeal stands dismissed.

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NCC :Yes/No
Index :Yes/No
Internet :Yes/No

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K.K.RAMAKRISHNAN, J.

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