



CRL OP(MD). No.15969 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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(*)G Keerthana, ... Petitioner/ Accused No.3

(*) Amended as per the order of this Hon'ble Court in
CRL MP(MD)No. 15297 of 2023 in CRL OP(MD)No.
15969 of 2023 dated: 01/11/2023)

Vs

The State rep. by
The Inspector of Police,
Oddanchatram Police Station,
Oddanchatram,
Dindigul District.
(Crime No.91 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Sarvagan Prabhu,
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.91 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 109 and 309 of IPC @ 306 of IPC, in Crime No.91 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's daughter was studying B.Sc.(Nursing), in Sakthi Nursing College, Oddanchatram. On 21.02.2023, the defacto complainant received a phone call from the Principal of the said College and she was informed that his daughter fell down from staircase and she is admitted in the hospital. Thereafter, the defacto complainant rushed to the hospital and he saw that his daughter was in serious condition. Hence, he lodged a complaint stating that his daughter committed suicide, due to harassment made by her roommates including the petitioner and the college administration failed to take any step to prevent his daughter from committing suicide. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. The learned counsel for the petitioner submitted that earlier application filed by the petitioner in CrI.O.P (MD).No.7749 of 2023 dated 25.04.2023 was dismissed by this Court, on the ground that the custodial interrogation of the petitioner is very much necessary. This second petition has been filed mainly on the ground that in pursuance of the summon issued



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by the respondent police, the petitioner appeared before the respondent police and also gave a statement.

4. A perusal of statement shows that the petitioner is studying first year B.Sc (Nursing) in Sakthi Nursing College, Oddanchatrham and staying in the hostel along with three other students. The deceased informed the principal that this petitioner is making video call to her boy friend. The Principal enquired the petitioner and she denied it. Later, she came to know that the deceased informed the principal about the Video Call. Thereafter, she never made enquiry with the deceased. Therefore, the reason for committing suicide is not known to her. The learned counsel for the petitioner further submitted that there was no criminal intimation on the part of the petitioner to abate the commission of suicide by the deceased.

5. The learned Additional Public Prosecutor appearing for the respondent police has relied upon the suicide note written by the deceased.

6. A perusal of the suicide note shows that there was some sort of petty issue between herself and her roommates. In the FIR it is stated that because of the attitude of this petitioner, the above said trouble has arose. But, in the suicide note nothing was stated. Whether the circumstances has been created by the accused to drive the deceased to commit the suicide, is a matter for investigation.

7. Considering the future and also the age of the petitioner as well as the



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immaturity of the students, this Court of the considered view that if the petitioner is arrested and remanded to judicial custody then her future will be spoiled. Therefore, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or her appearance, before the learned Judicial Magistrate, Oddanchatram, Dindigul District, and on his 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 Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
04/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

TO BE SUBSTITUTED WITH THE ORDER DATED 04/09/2023 ALREADY DESPATCHED

1 THE JUDICIAL MAGISTRATE,
ODDANCHATRAM,
DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE
ODDANCHATRAM POLICE STATION,
ODDANCHATRAM,
DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-15795[I] dated 01/11/2023)

ORDER
IN

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Date :04/09/2023

SSA/JGB/13.09.2023/5P/6C

Madurai Bench of Madras High Court is issuing certified copies
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PKP/JGB/SAR- /06.11.2023/ 5P/ 6C