



Crl.OP(MD)No.16210 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 12/09/2023

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.16210 of 2023

1.Ramachandran

2.Tamilselvi

3.Mani

... Petitioners/ Accused No.1 to 3

Vs.

State represented by
The Inspector of Police,
Thevaram Police Station,
Theni District.

(Crime No.41 of 2023)

... Respondent/ Complainant

For Petitioners	:	Mr.S.Balaji, Advocate
For Respondent	:	Mr.R.Suresh Kumar Government Advocate (Criminal side)

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

PRAYER :- For Anticipatory Bail in Crime No.41 of 2023 on the file of the Respondent Police.

ORDER: The Court made the following order:-

The petitioners, who are arrayed as A1 to A3 apprehend arrest at the hands of the respondent police for the offence punishable under section 174(3) Cr.P.C @ 306 IPC, in Crime No.41 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant's version is that



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her elder daughter Avanthika was married to one Ramachandran, on 08/02/2022.

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Ramachandran is working in CRPF, Assam. After marriage, there was no cordial. Because of some physical problem, Avanthika did not conceive. One Suriya Prakesh is the brother of Avanthika, who died due to electric shock and for attending the above said funeral, Ramachandram came to the village on leave. On 04/02/2023 at about 09.00 am, Avanthika said to have enquired the Ramachandran as to why he is not speaking with her. At that time, quarrel broke between them. Avanthika was assaulted by Ramachandran. Because of the above said assault and humiliation, Avanthika consumed pesticides. She was taken to the Government Hospital, Uthamapalayam, later to the Government Medical College Hospital, Theni, where she was admitted as inpatient and later died. Initially, the case was registered under section 174(3) Cr.P.C and later, altered to section 306 IPC.

3. Seeking anticipatory bail, this petition has been filed by the petitioners.

4. Heard both sides.

5. The earlier application was dismissed by this court, by order, dated 06/06/2023 stating that considering the facts and circumstances of this case, it was dismissed. During the course of discussion, it was observed that the accused persons alleged to have compelled the deceased to give consent for marriage between her husband and one Priyanka, who is the wife of the deceased. On that account stating



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that custodial interrogation is required, the above said petition was dismissed on 06/06/2023.

6.Now the present petition has been filed stating that during RDO enquiry, it was submitted by the father of the deceased that they received all sreedhana given at that time of marriage by them, on 26/08/2023.

7.But whether the above said returning of the articles can be construed as change of circumstance is a matter for consideration. There is no indication in the above said acknowledgement that the de-facto complainant's party did not want to pursue the matter further. Receiving of the sreedhana articles will not give any benefit to the petitioners to claim anticipatory bail.

8.Considering the manner in which the above said occurrence said to have taken place, I find no change of circumstances.

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

sd/-
12/09/2023

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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 தலைவர் அவர்கள்

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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.16210 of 2023

Date :12/09/2023

RS/JGB/SAR-(15.09.2023) 4P 3C

Madurai Bench of Madras High Court is issuing
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