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

Date : 11/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16358 of 2023

Manikandan

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Ayikudi Police Station,
Tenkasi District.
(Crime No.78/2023)..

... Respondent/Complainant

For Petitioner : M/s.Indrachithu T,
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.78/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 02.08.2023 for the alleged offence under Section 174 of Cr.P.C., @ 306 of IPC, in Crime No.78 of 2023, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the defacto complainant lodged a complaint stating that her daughter namely Sudalaimadathi is a widow. She obtained loan amount of Rs.2 lakhs for purchasing bike for her son. On 26.07.2023, her daughter came to her house and demanded money for paying installment. She replied that she is not having sufficient money. She also scolded the daughter for having obtained loan from several persons. On 26.07.2023 at about 09.00 a.m., she went to sleep along with her daughter. But in the early morning on 27.07.2023 her granddaughter found Sudalaimadathi committed suicide by hanging. On the basis of the above occurrence, complaint has been registered under Section 174 Cr.P.C. Later during the course of investigation, the involvement of this petitioner came to light. On the ground that she was arrested and remanded in the judicial custody.

3.Seeking bail, this petition came to be filed on the ground that even as per the allegations made in the FIR no specific overt act has been attributed against this petitioner. Only because of the attitude of the deceased mother is not helping her, she committed suicide. For which this petitioner cannot be held responsible.

4.Per contra, the learned Additional Public Prosecutor would submit that this petitioner is having illegal intimacy with deceased. During the course of affair, he has received gold ornaments from the deceased and pledged the same in his own name.



He has also produced the document of pledge, which is standing in the name of this petitioner.

5.The learned counsel for the petitioner would submit that absolutely, there is no such allegation against him in the complaint.

6.Reading of the statement given by this petitioner shows that with the help of the deceased, he purchased the lorry. Because of the loss in the business they could not pay the installment. Reading of the above said complaint shows that the deceased was indebted to several persons, because of the attitude of the petitioner. Since the learned counsel for the petitioner is not in position to inform the Court about the pledging of jewels, investigation is in initial stage, I find no reason to entertain this petition at this stage. This petition deserves to be dismissed.

7.Accordingly, this criminal original petition stands dismissed.

sd/-

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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

1 THE INSPECTOR OF POLICE
AYIKUDI POLICE STATION, TENKASI DISTRICT.



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2 THE OFFICER INCHARGE,
SUB JAIL, TENKASI.

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

ORDER
IN
CRL OP(MD) No.16358 of 2023
Date :11/09/2023

SS/DD/25/09/2023/4P/4C

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