



Crl.O.P.No.284 of 2024

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C.V.KARTHIKEYAN, J.

This is second anticipatory bail petition.

2. The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 306 of IPC in Crime No.511 of 2023, seeks anticipatory bail.

3. The earlier anticipatory bail petition in Crl.O.P.No. 28180 of 2023 was dismissed on 15.12.2023.

4. Even before entering into a discussion on the facts which had been set out in detail in the earlier order, it must be placed on record that the petitioner herein appears to have an affinity to present before this Court totally false facts and facts which had not been stated when the earlier anticipatory bail petition was argued before this Court. Now several documents have been produced which indicate that the deceased, who was a borrower under the company where the petitioner is working, namely, L&T Finance Limited., Mayiladuthurai, has settled all the loans.



CrI.O.P.No.284 of 2024

WEB COURT

This was a fact which was never mentioned in the earlier hearing date and therefore, this Court suspects the very document which had been produced as being produced only for the purpose of obtaining anticipatory bail and had been created for that particular purpose. Let the document be tested during the course of trial and at this state, I am not take the document at the face value.

5. On 06.12.2023, it is the case of the prosecution that the petitioner herein acting for and on behalf of L&T Finance Limited., at Mayiladuthurai and probably instructed by his superior Officer to go over to the house of the deceased, had actually gone over there and demanded payment of instalment of Rs.1,850/-. It is now stated that the amount had been paid early in the morning at 06.30 a.m. It is therefore stated that the subsequent case of the prosecution that the petitioner went around 9.20 a.m., seeking money is not a correct statement. It is also contended that the petitioner had committed suicide when their mother-in-law / mother of the defacto complainant was present and therefore, the learned counsel states that the said mother-in-law should also included as an accused.

6. I must state with some regret that there should be a limit of



Crl.O.P.No.284 of 2024

WEB COPY

pointing out possibilities and the manner of argument. It is of-course the right of the Advocate to expand arguments but they should not go to the extent that the mother-in-law was there and she saw her daughter-in-law hanging, and that she had gone to that room after hearing the noise of the stool being kicked down, does not mean that she must be added as an accused of offence. The actual cause for the commission of the suicide was the humiliation which the deceased had suffered at the demand of the monthly instalment of Rs.1,850/-. Even on the earlier occasion, this Court had observed that, may be for the petitioner, Rs.1,850/- may be a small amount, but for the deceased, to go around and collect that amount in the morning would be a hard task. She had to go around various house to collect the money and then pay.

7. I am not able to understand as to why the petitioner went early in the morning at 06.30 a.m., and knocked at the door of the deceased for collection of money. If the amount had been paid at 06.30 a.m., then the petitioner must have reached the house much earlier and therefore, the arguments advanced today are more out of desperation.

8. The learned Government Advocate (Crl. Side) also pointed



CrI.O.P.No.284 of 2024

WEB COPY

out that the new documents relied on now by the learned counsel for the petitioner are print outs and which could be easily generated from any computer at any corner and at any place and not necessarily at the place of L&T Finance Limited., at Mayiladuthurai. They had not brought to the knowledge of this Court when the earlier anticipatory bail petition had been dismissed. Therefore, there seems to have been an intent to divert the mind of the Court and present the facts which had not been stated in the earlier petition.

9. The petitioner is still absconding. The offence is serious. The offence is about specifically of a lady of this country taking away her own life owing to extreme desperation and the immediate cause was the direct demand for payment of monthly instalments.

10. I am not inclined to grant anticipatory bail to the petitioner. There are no change in circumstances. The petitioner has been extremely careful in hiding away from the police and there is a statement of the learned Government Advocate (CrI. Side) that the company is hiding the



CrI.O.P.No.284 of 2024

WEB COPY

petitioner and not permitting the respondents from taking him to custody.

If that be so, then the officials of that particular company, namely, L&T Finance Limited., at Mayiladuthurai, should hang their head in shame for violating the Rules of Law. Accordingly, this Criminal Original Petition stands dismissed.

02.02.2024

vsg

C.V.KARTHIKEYAN, J.



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Crl.O.P.No.284 of 2024

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Crl.O.P.No.284 of 2024

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