



CRL OP(MD) No.4097 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Friday, the Fifteenth day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.4097 of 2024

1 KASIRAJAN
2 MADHAVAN

... Petitioners / Accused No.6 & 7

Vs

THE INSPECTOR OF POLICE
PALANICHETTIPATTI POLICE STATION,
THENI.
(CRIME NO.120 OF 2024.)

... Respondent / Complainant

For Petitioner : M/s.K.Appadurai, Advocate
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.120 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police
for the offence punishable under Sections 147, 294(b), 109, 498(A) and 302 IPC in
Crime No.120 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the mother
of the deceased Priyanka, who has married the first accused. The first accused used



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to come to the house in a drunken mood along with the petitioners which was objected to by the deceased, due to which, the first accused abused her in front of the other accused persons. While so, on 29.02.2024, the grand mother of the first accused died on 29.02.2024 and a wordy quarrel arouse between the first accused's family and the defacto complainant's family in performing Seimurai and the first accused abused the deceased and attacked her, due to which, she consumed mosquito poison and she was hospitalized and discharged from the hospital. In this regard, a complaint was lodged by the husband of the defacto complainant which is pending. While so, on 09.03.2024, the deceased was found to be death in her house with a rope tying on her neck. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel would further submit that the petitioners are brother-in-law and the brother of the first accused and in order to wreck vengeance against the petitioners, a false complaint was made against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the first accused used to come to the house in drunken mood along with the petitioners and has abused the deceased in front of the



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petitioners and the petitioners have instigated the first accused to quarrel with the deceased and thereby, the deceased had committed suicide. He would further submit that the accused Nos.1 to 5 were arrested and the investigation is in the preliminary stage and if the petitioners are enlarged on anticipatory bail, there will be a change of hiding the evidence, which would affect the trial.

5. It appears that the petitioners have instigated the first accused to quarrel with the deceased and the first accused has also abused the deceased in front of the petitioners. Due to alleged unbearable torture, she has committed suicide. Further, the investigation is in preliminary stage and the custodial interrogation of the petitioners is very much necessary for concluding the investigation. Considering the facts and circumstances of the case and the nature of allegations levelled against the petitioners and the fact that there is a specific overt act against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
15/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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To

1.The Inspector of Police,
Palanichettipatti Police Station,
Theni.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.APPADURAI, Advocate (SR-3224[I] dated 15/03/2024)

ORDER
IN
CRL OP(MD) No.4097 of 2024
Date :15/03/2024

ED/ GS /SAR- (21/03/2024) 4P / 4C

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