



CRL OP(MD) No.23390 of 2023

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

Tuesday, the Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23390 of 2023

KEVINKUMAR

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR,
CR.NO.364/2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SUSI KUMAR.C Advocate

For Respondent : Mr.SS.MADHAVAN, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL INCR.NO.364/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused, who apprehends arrest at the hands of the
respondent police for the alleged offence under Section 174 of I.P.C., subsequently
altered into Section 306 of I.P.C. in Crime No.364 of 2023, seeks anticipatory bail.



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2. The case of the prosecution is that the *defacto* complainant's younger daughter committed suicide by hanging in her house. The *defacto* complainant took the deceased to the Hospital and the Doctor declared as "Dead". Hence, the *defacto* complainant made a complaint before the respondent Police and the respondent Police registered a case against the petitioner herein.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. The learned counsel further submit that the petitioner and the *defacto* complainant's daughter are lovers and they wanted to perform their marriage. But the *defacto* complainant refused to marry his daughter with the petitioner herein and the *defacto* complainant warned the deceased. Based on that only, the *defacto* complainant's daughter committed suicide. He would further submit that he has been falsely implicated in this case. Hence, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioner had love affair with the *defacto* complainant's daughter. He would further submit that the investigation is going on. He has also produced a copy of the suicide note of the deceased before this Court. He vehemently opposed for grant of anticipatory bail to the petitioner herein.



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5. It is seen from the suicide note that the cause for the death of the deceased is mentioned as Geetha and Michael's third son Kevin Kumar / the petitioner herein. The petitioner herein refused to marry the deceased and due to which, the deceased committed suicide.

6. Considering the facts and circumstances of the case and also considering the fact that the cause for the death of the deceased person is the petitioner herein, this Court is not inclined to grant anticipatory bail to the petitioner herein.

7. In view of the above, the Criminal Original Petition stands dismissed.

sd/-
02/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1 THE INSPECTOR OF POLICE
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC to M/s.S.MEENA, Advocate (SR-28[I] dated 02/01/2024)

ORDER
IN
CRL OP(MD) No.23390 of 2023
Date :02/01/2024

SS/DD/SAR- /11/01/2024/4P/4C

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