



CRL OP NO.505 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO.505 of 2025

A. Moorthy,
S/o. Amavasai,
Block B- 108, 1st Floor, Padur, Mantra Synergy Apartment,
VTC Padu Post Padur, Kancheepuram – 603 103.

Petitioner(s)

Vs

State Rep. by, Inspector of Police,
Thiruporur Police Station,
Chengalpattu District. (Crime No.392 of 2024)

Respondent(s)

For Petitioner(s): Mr. C.D. Sugumar

For Respondent(s): Mr.S.Santhosh, Government Advocate (Criminal Side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 108 of the Bharatiya Nyaya Sanhita, (BNS), 2023, in Crime No.392 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the victim was employed as a laborer under the petitioner/accused. The accused had not paid the victim's salary, prompting the de-facto complainant/victim to file a complaint. Based on the

<https://www.mhco.org.in> complaint, the respondent Police conducted an enquiry and assigned C.S.R



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No.1010 of 2024. During the enquiry, the accused allegedly harassed the victim/de-facto complainant, due to which, he committed suicide by hanging.

Hence, this case.

3. Learned Counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He also submitted that there is no evidence to show that the petitioner withheld the victim's salary or abetted him to commit suicide. The petitioner has no connection to the alleged offence as alleged by the prosecution and he is willing to abide by any condition that may be imposed by this Court. Therefore, he prays for the grant of anticipatory bail to the petitioner.

4. In contrast, the learned Government Advocate (Crl.Side) appearing for the respondent police opposed for grant of bail to the petitioner stating that the deceased, aged 65, worked under the petitioner/the accused/A1. Initially, the petitioner promised a daily wage of Rs.500/- but paid only Rs.200/-. Therefore, the deceased filed a complaint against the petitioner, which was taken on file and assigned as C.S.R.No.1010 of 2024. Pending enquiry, due to non-payment



facto complainant committed suicide by hanging. A suicidal note is also available on record.

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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl Side) for the respondent and perused the entire materials available on record, including the suicidal note.

6. This is the first application for anticipatory bail. Considering the facts and circumstances of the case, the petitioner's alleged cheating and harassment of the victim/de-facto complainant, and the suicidal note, this Court finds no ground to grant anticipatory bail to the petitioner. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Original Petition stands dismissed.

28-01-2025

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To

1.State Rep. by, Inspector of Police,
Thiruporur Police Station,
Chengalpattu District. (Crime No.392 of 2024).



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A.D. JAGADISH CHANDIRA, J.

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