



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

Friday, the Twenty Third day of January Two Thousand Fifteen

PRESENT

THE HON`BLE MR.JUSTICE M.SATHYANARAYANAN

CRL OP(MD) No.1142 of 2015

SUNAITHA

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE

KOTTAR POLICE STATION, KANYAKUMARI DISTRICT.

KANYAKUMARI DISTRICT. CR. NO.958/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.T.RAMESH RAJA Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

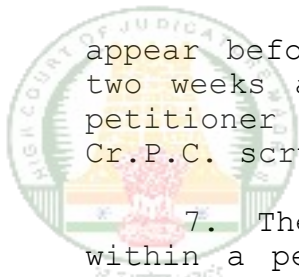
The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under section 304(B) I.P.C., which was said to have been committed on 06.11.2014, in Crime No.958 of 2014 on the file of the respondent police and hence seeks anticipatory bail.

2. The case of the prosecution is that there are totally two accused in this case and the petitioner is arrayed as A.2 and the marriage between the deceased and A.1 was solemnised 3 1/2 years prior to 2014 and out of wed lock, two children were born. It is alleged that on account of instigation of this petitioner/A.2, the wife of the first accused was harassed to bring more dowry and unable to bear with the same, she has committed suicide by hanging.

3. The learned Counsel appearing for the petitioner would submit that the husband of the deceased/A.1 was enlarged on bail by the Principal Sessions Court, Kanyakumari District, in Crl.O.P.No.3976 of 2014 vide order dated 06.01.2015 and further submit that the petitioner himself is the mother of two children and she is nothing to do with the alleged commission of offence.

5. The learned Government Advocate(Crl.Side) would submit that the investigation is pending.

6. This Court, taking into consideration the above facts and circumstances and especially the fact that the husband of the deceased was enlarged on bail and further taking into consideration the fact that the petitioner is the mother of two children, is inclined to enlarge the petitioner on anticipatory bail. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate No.II, Nagercoil and on executing a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall



appear before the respondent police daily at 11.00a.m. for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready failing which, the petition for anticipatory bail stands dismissed.

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sd/-
23/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.II,
NAGERCOIL.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.
3. THE INSPECTOR OF POLICE
KOTTAR POLICE STATION, KANYAKUMARI DISTRICT.
KANYAKUMARI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.T.RAMESH RAJA Advocate SR.No. 3303

SR : 27.01.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.1142 of 2015
Date :23/01/2015