



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

Wednesday, the Nineteenth day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16032 of 2015

WEB COPY

1 PASUMPON
2 PETCHIAMMAL
3 RAKKU

... PETITIONERS/ACCUSED NO.2 TO 4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
E-3, ANNANAGAR LAW & ORDER POLICE STATION,
MADURAI.
(CRIME NO. 1320/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.KAMESWARAN Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 to A4 apprehend arrest at the hands of the respondent police for the alleged offence punishable under section 306 of IPC, in Crime No.1320 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant Sadachiammal, her daughter Anandhavalli was married to A1 about 11 years ago and out of their wedlock, two children were born to them and her son-in-law/A1 suspecting fertility of his wife, he attacked her. So, about 1-1/2 years prior to the occurrence, she left her matrimonial home and residing with the de-facto complainant and about 70 days prior to the date of occurrence, the daughter of the de-facto complainant joined with her husband and on 10.08.2015 at 11.00 p.m, her son-in-law in an inebriated mood attacked her daughter with spoon in the presence of the other accused, which led her suicide on 11.08.2015 by consuming poison.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that the entire allegations made only against A1 and there is no specific allegation against the petitioners. The marriage between A1 and deceased was solemnised 11 years ago and due to matrimonial dispute, the deceased was residing with her mother and even as per the complaint, on 19.02.2015, A1 attacked the deceased, for which the petitioners cannot be punished. It is further contended that the ingredient for the offence is totally absent in this case and that the prime accused was already arrested and he is in judicial custody.

4.The learned Government Advocate (Criminal side) appearing for the respondent objected granting of anticipatory bail to the petitioners



contending that there are specific allegations made against the petitioners also and therefore, they are not entitled for anticipatory bail.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Mahila Court, Madurai and on each of them executing a bond for 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 petitioners shall appear before the respondent police daily at 10.30 a.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioners 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.

sd/-
19/08/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
MAHILA COURT, MADURAI.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
E-3, ANNANAGAR LAW & ORDER POLICE STATION,
MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.S.KAMESWARAN Advocate SR.No.47841

ORDER
IN
CRL OP(MD) No.16032 of 2015
Date :19/08/2015