



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Fourth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17136 of 2015

1 MUKILA
2 KALAISELVI
3 JENCY

..PETITIONERS 1 to 3/
ACCUSED 1 to 3

Vs.

STATE REP.BY INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION,
KANYAKUMARI DISTRICT
(CRIME NO.624 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S F.DEEPAK Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

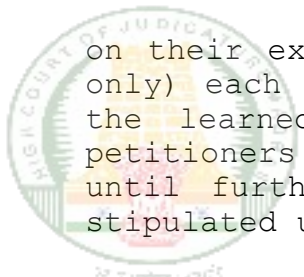
The petitioners, who are arrayed as accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 442, 323 and 506(i) of I.P.C., in Crime No.624 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the prosecution, that despite objection, the first petitioner's husband visited the deceased house often and suspecting that he developed intimacy with the deceased that on 26.08.2015, all the accused went to the house of the de-facto complainant and scolded the deceased saying that she can go and die, failing which they will kill her and also the first accused slapped the deceased and therefore, she committed suicide on the same day evening by self immolation.

3. The learned counsel for the petitioners submitted that the first petitioner is 27 years old and she is having two children and when the deceased had developed intimacy with the first petitioner's husband, she rightly objected the same. It is further submitted that on 26.08.2015, the petitioners 2 and 3 joined with the first petitioner to advise the deceased, for which they have also been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) vehemently opposed the granting of anticipatory bail to the petitioners contending that the deceased is 17 years old girl and she was studying nursing course staying in the house of her grandmother and on 26.08.2015, all the accused have abused her which lead to her suicide.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate No.III, Nagercoil, Kanyakumari District and



on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 10.00 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-

04/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, SUCHINDRAM POLICE STATION,
KANYAKUMARI DISTRICT.

+1. CC to M/S F.DEEPAK Advocate SR.No.52413

ORDER IN

CRL OP(MD) No.17136 of 2015

Date : 04/09/2015

PBK/AAL-MPA/SAR-II 10/09/2015 :: 2P-6C::