



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twelfth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.23857 of 2014

1 LATHA

2 NALLI

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

B1 TOWN POLICE STATION,

RAMANATHAPURAM & DISTRICT.

CRIME NO.252/2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.BALAMURUGAPANDI Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 306 of Indian Penal Code in Crime No.252 of 2014, on the file of the respondent police, seek anticipatory bail.

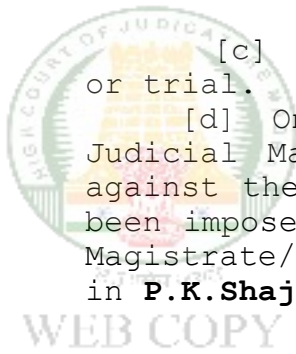
2. The case of the prosecution is that the petitioners are the sisters of the deceased by name Banumathi. It appears from the complaint lodged by the husband of Banumathi that there was a quarrel between the petitioners and the deceased with regard to an ear-ring. On the date of incident, the petitioners had come to the house of the deceased and had demanded the return of ear-ring. It is alleged that they made some disparaging allegations. Unable to withstand that, Banumathi committed suicide by hanging.

3. Taking into consideration the facts and circumstances of the case and further, the petitioners are only the sisters of the deceased and they have not committed any overt act, as required under Section 107 r/w 306 of Indian Penal code, I am inclined to grant anticipatory bail to the petitioners herein.

4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Ramanathapuram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.



[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Judicial Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
12/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, B1 TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

+1. CC to M/S.D.BALAMURUGAPANDI Advocate SR.No.1452

ORDER IN
CRL OP(MD) No.23857 of 2014
Date :12/01/2015

PBK 19/01/2015 ::2P-6C: