



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

Thursday, the Fourth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9099 of 2015

NOORJAHAN BEVI

... PETITIONER(S) / ACCUSED No.2

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
ARAVAKURICHI POLICE STATION, KARUR DIST.
CRIME NO. 147/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

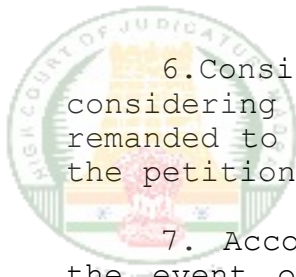
The petitioner, who is arrayed as A2, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 498(A) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 304(b) IPC in Crime No.147 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case was registered on the basis of the complaint given by the deceased herself in which it is alleged that marriage had taken place only 1 ½ years ago and she was having 5 months old child and she joined with her husband three months ago and about 3 days prior to the occurrence, the first accused and the petitioner herein threatened the deceased that she should not go to her parent's house and they insisted to give Rs.20,000/- and on 05.04.2015, the deceased requested the first accused to give Rs.150/- to purchase milk for the child and the first accused was harassing the deceased and therefore, on 05.04.2015 she committed suicide by pouring kerosine and setting fire.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. It is further submitted that the entire allegation is attributed against the first accused who was already arrested and remanded to judicial custody.

4.The learned Government Advocate(Crl.side) appearing for the State submitted that as per FIR and subsequent dying declaration given to the Inspector of Police, the deceased has implicated the petitioner also.

5. I have perused FIR as well as the dying declaration of the deceased.
<https://hcservices.ecourts.gov.in/hcservices/>



6.Considering the allegations made against the petitioner and also considering the fact that the first accused was already arrested and remanded to judicial custody, I am inclined to grant anticipatory bail to the petitioner, with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Karur, Karur District, on 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 petitioner shall appear before the respondent police daily at 10.00 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. 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.

sd/-
04/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II, KARUR.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, KARUR.
 - 3 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE
ARAVAKURICHI POLICE STATION, KARUR DISTRICT.
- +1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.27861.

TS/09.06.2015/2P-6C

ORDER
IN
CRL OP(MD) No.9099 of 2015
Date :04/06/2015