



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

Thursday, the Eighteenth day of August Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.15100 of 2016

1 LINGAMMAL
2 THENMOZHI
3 PAVITHRA

... PETITIONERS/ACCUSED Nos.2 to 4

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
SIVAGANGAI.
CR.NO.579 OF 2016

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S V.SASIKUMAR, ADVOCATE
FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

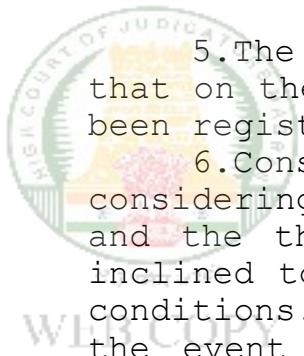
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.2 to 4 apprehend arrest at the hands of the respondent police for the offence punishable under Section ***147,148,294(b),306,506(ii) IPC & Section 4 of TNPWH Act**, in Crime No.579 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and deceased are neighbours. On 10.08.2016 at about 03.45 p.m., due to wordy quarrel, the petitioners along with A.1 abused the deceased in filthy language and threatened her with dire consequences and subsequently she committed suicide by consuming poison. On complaint, a case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. They never threatened the deceased and abetted her to commit suicide.

4.The learned counsel for the petitioners submitted that the second petitioner is a pregnant woman and the third petitioner is studying in a school and the entire family members were roped in, in the present case. A.1 was already arrested and he is still in judicial custody.



5.The learned Government Advocate (Criminal side) submitted that on the complaint given by the de facto complainant, a case has been registered and investigation is pending.

6.Considering the facts and circumstances of the case and also considering the fact that the second petitioner is a pregnant woman and the third petitioner is studying in a school, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they 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, Sivagangai, on condition that each of the petitioners shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the first petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders and the petitioners 2 and 3 shall report before the respondent police as and when required for interrogation.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned 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 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]**.

7.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-
18/08/2016

**(*Amended as per order of this Hon'ble Court
made in CrI.MP.(MD).No.8065/16
in CrI.OP.(MD).No.15100/16 dated 2.9.16 by VMVJ)**

Sd/-
02/09/2016

**(*)TIME FOR EXECUTING THE SURETY IS
EXTENDED FOR A PERIOD OF ONE WEEK
FROM TODAY**

/ TRUE COPY /



TO

To be substituted for the order already despatched

1. THE JUDICIAL MAGISTRATE NO.1, SIVAGANGAI.

2. THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3. THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
SIVAGANGAI.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO MR.A.MOHAN, ADVOCATE IN SR No. 49493

ORDER

IN

CRL OP(MD) No.15100 of 2016

Date :18/08/2016

SMN

TE/PV/SAR-I : 22/08/2016 : 3P/6C

sm:AA1-MPA:SAR I:02/09/2016:3P/6C