



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

Thursday, the Tenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.20139 of 2016

1 JOTHIRAJ
2 SANKAR
3 BACKIYALAKSHMI

..PETITIONERS/ACCUSED 1 to 3

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
CR NO. 171/2016.

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.S.VAIGUNTH, 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 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 304(b) of IPC, in Crime No.171 of 2016, on the file of the respondent police, seek anticipatory bail.

2. The Case of the prosecution is that marriage was solemnized between the defacto complainant's daughter and A1 in the year 2014. Out of the wedlock, a male child was born. While so, the second petitioner/A2 called the defacto complainant on 01.03.2016 and informed that his daughter committed suicide by setting fire on herself. After RDO enquiry, it reveals that on the torture and harassment made by the petitioners, the defacto complainant's daughter committed suicide and therefore, the case has been altered into one under Section 304(b) IPC.

3. The learned counsel for the petitioners submitted that this the second anticipatory bail petition and after the dismissal of the first anticipatory bail petition, the first petitioner/A1 was arrested and he was in judicial custody. He further submits that petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Criminal Side) submitted that the petitioners are arrayed as A1 to A3. A1, the husband of the deceased, was arrested and remanded to judicial custody. The petitioners 2 and 3 are in-laws of the deceased.



5. The petitioners 2 and 3/A2 and A3, are the parents of A1, who was already arrested. Considering the change of circumstances, I am inclined to grant anticipatory bail to the petitioners 2 and 3/A2 and A3 with the following condition. Accordingly, the petitioners/A2 and A3 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Kovilpatti, within a period of 10 days from the date on which the order copy made ready, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum each to the satisfaction of the learned Magistrate concerned and on further condition that the second petitioner/A2 shall appear before the respondent police daily at 10. a.m. until further orders and the third petitioner/A3 shall appear before the Trial Court as and when required. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

This petition is dismissed as infructuous in respect of the first petitioner/A1.

sd/-
10/11/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTI, THOOTHUKUDI DISTRICT.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,THOOTHUKUDI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 4 THE INSPECTOR OF POLICE, KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.67646

ORDER IN
CRL OP(MD) No.20139 of 2016
Date :10/11/2016

PBK/SK-SKN/SAR-III 10/11/2016 ::2P-6C: