

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.4159 of 2017

1 ESWARAN [PETITIONERS / ACCUSED]
2 SAVITHRI
3 VARALAKSHMI
4 KOTTI ALAIS KOTTESWARI
5 LALITHA

Vs

THE STATE REP BY, [RESPONDENT]
THE INSPECTOR OF POLICE,
KATPADI POLICE STATION,
VELLORE DIST,
CR.NO.83/2017

For Petitioner : M/S.M.RAJENDIRAN Advocate

For Respondent : R.SEKAR, Govt. Advocate (CrI. 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 under Sections 294(b), 309 IPC @ 147, 294(b), 323 and 306 IPC in Crime No. 83 of 2017 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner was running a chit fund. The deceased Kamatchi is one of the member in the chit and she has taken a chit. On 22.02.2017, the said deceased asked the chit amount from the first petitioner. At the time, a wordy quarrel arose between the petitioners and the deceased and the deceased was mentally affected. Due to continuous torture made by the petitioners, the deceased committed suicide by pouring kerosene on her body. Hence, this complaint.

3.The learned counsel for the petitioners submitted that the petitioners are ladies. No such occurrence was taken place on that day and the first petitioner alone was running the chit and the other petitioners no way connected with the transaction. Further, he submitted that they have been falsely implicated in this case.

4.Learned Government Advocate (Crl.Side) submitted that the first petitioner alone has abused the deceased and also attacked her. Hence, the deceased committed suicide.

5.Considering the facts and circumstances of the case and taking note of the fact that the first petitioner was running a chit and since the first petitioner refused to pay the chit amount to the deceased, the deceased committed suicide, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, **the criminal original petition is dismissed as against the first petitioner.**

6. Insofar as the other petitioners 2 to 5 are concerned, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the other petitioners 2 to 5 are ordered to be released on bail in the event of arrest or on their appearance before **the learned Judicial Magistrate, Katpadi**, within a period of 15 days from the date of receipt of a copy of this order, on each of them 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 Judicial Magistrate, concerned, or to the satisfaction of the respondent police or the police officer who intends to arrest and on further condition that the petitioners 2 to 5 shall deposit a sum of **Rs.1,50,000/- IN TOTAL (Rupees one lakh and fifty thousand only)** to the credit of Crime No.83 of 2017 before the learned Magistrate concerned, within a period of two weeks from the date of receipt of a copy of this order and on further condition that the petitioners 2 to 5 shall report before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required for interrogation.

-sd/-
22/03/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
KATPADI

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KATPADI POLICE STATION,
VELLORE DIST,

+1 CC to M/S.M.RAJENDIRAN Advocate on payment of necessary
charges SR.NO.5391

CRL OP.4159/2017

Date :22/03/2017

PTI-23/03/2017