



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

Tuesday, the Fifth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16500 of 2017

SUVILA

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KADAYALUMUDU POLICE STATION,
KANYAKUMARI DISTRICT
(CR.NO.80 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.T.A.EBENEZER Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

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

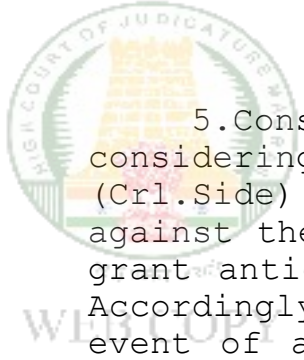
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 306 of I.P.C., in Crime No.80 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the deceased person was working in the petitioner's house. In the month of October 2017, some jewels were missed from the petitioner's house, which was questioned by the petitioner to the defacto complainant and his wife, thereby the defacto complainant's wife committed suicide.

3.The learned counsel appearing for the petitioner would submit that on perusal of the suicide note, the wife of the defacto complainant did not implicated the petitioner in any where and she only mentioned as “எனக்கு கெட்ட பெயர் வந்ததுக்கு காரணம் அந்த அக்கா”. No where she has mentioned as she will going to commit suicide on the instigation of the petitioner.

4.The learned Government Advocate (Criminal side) perused the suicide note and did not dispute the facts submitted by the learned counsel for the petitioner.



5. Considering the facts and circumstances of the case and also considering the submissions made by the learned Government Advocate (Crl.Side) and in view of the above, since there is no allegation against the petitioner with regard to the suicide, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kulithurai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each 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 petitioner shall appear before the respondent police as and when required for interrogation;
- (ii) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial;
- (v) the petitioner shall not commit any offence while on bail;
- (vi) On breach of any of the aforesaid conditions, the learned Magistrate/trial Court is entitled to take appropriate action against the petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
05/12/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE
KULITHURAI, KANYAKUMARI DISTRICT

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT

3 THE INSPECTOR OF POLICE,
KADAYALUMUDU POLICE STATION,
KANYAKUMARI DISTRICT

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

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.35594

ORDER

IN

CRL OP(MD) No.16500 of 2017

Date :05/12/2017

TM

SH/PN/SAR-2:12.12.2017:2P/6C