



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

Friday, the Third day of March Two Thousand Seventeen  
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.2243 of 2017

WEB COPY

1 YESU RAJAN

2 SELVARANI

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY ,  
THE INSPECTOR OF POLICE  
KODANKULAM POLICE STATION,  
TIRUNELVELI DISTRICT  
CRIME NO.36 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.KESAVAN Advocate

For Respondent : MR.P.KANDASAMY, Govt. 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.5 & 4 respectively, in Crime No.36 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 174 Cr.P.C @ 306 IPC and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The learned counsel for the petitioners submitted that the petitioners are the husband and wife and there is no connection whatsoever with the petitioners herein and there is no nexus between the petitioners and the husband of the deceased and her in-laws and no overt act has been stated in the complaint regarding the petitioners' participation. In fact, the deceased and the petitioners never met and spoke them with each other and there is no relationship between the husband of the deceased and the second petitioner herein.

4.The learned Government Advocate (Crl. Side) on instructions submitted that the case was registered under Section 174 Cr.P.C earlier on the basis of the complaint given by the sister of the deceased and during investigation, there are totally five accused in this case. The petitioners herein are A.5 and A.4 respectively. The first accused in this case is the husband of the deceased, the second accused is the mother of the first accused, A.3 is the brother of the first accused. As per the F.I.R, A.1 to A.3 have harassed the deceased and the deceased has committed suicide by consuming poison. He has further submitted that the deceased has left a suicidal note, in which, the name of the petitioners are



found and the investigation is still pending. Subsequent to the investigation, case is altered into 306 I.P.C.

5. On perusal of the suicidal note produced by the learned Government Advocate (Criminal Side), it is seen that except mentioning the name of the petitioners, no such harassment is found in the suicidal note.

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6. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Valliyoor, Tirunelveli District and 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 Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-  
03/03/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, VALLIYOOR, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE  
KODANKULAM POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.KESAVAN Advocate SR.No.12488

ORDER

IN

CRL OP(MD) No.2243 of 2017

Date : 03/03/2017

CSL/PM-PN/SAR-III/08.03.2017 : 2P/6C