



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

Thursday, the Sixth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.3485 of 2017

JOTHI

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE,
PULIYANGUDI POLICE STATION,
TIRUNELVELI DISTRICT,
CRIME NO.92/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.S.JEYAKARTHIK Advocate

For Respondent : MRS.S.PRABHA, Govt. 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 A2 in Crime No.92 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 174 of Cr.P.C. and 379 IPC @ Section 302 and 379 IPC @ 302 and 201 IPC and hence, seeks anticipatory bail.

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

3.The learned counsel for the petitioner submitted that it is alleged in the complaint that A1 and the deceased were friends and taking advantage of the friendship with A1, the deceased contacted the A1's wife over phone. A1's wife informed the act of the deceased to A1. A1 is alleged to have gone to the house of the deceased, quarrelled with him, strangled his neck and thereby murdered him. The allegation against the petitioner /A2 is that she helped A1 for screening the offence. The petitioner is a woman and she has 4 years old child. She has been falsely implicated in this case. She has not committed any offence as alleged in the complaint.

4.The learned Government Advocate appearing for the respondent / Police submitted that initially the case was registered only under Section 174 Cr.P.C. and subsequently, the case altered



into one under Sections 302 and 201 IPC. The investigation is pending.

5. In the counter affidavit at page No.4, the respondent Police has raised specific allegation only against A1 and A3 and not against the petitioner/A2. Considering the facts and circumstances of the case, this Court is 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 her appearance before the learned Judicial Magistrate, Sivagiri and on her 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 petitioner shall appear before the respondent police once in a week ie. on every Monday at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner 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/-
06/04/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI, TIRUNELVELI DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PULIYANGUDI POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.19663

GCG
CSL/BS/SAR-II/10.04.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.3485 of 2017
Date : 06/04/2017