

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Fifth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mrs Justice S. RAMATHILAGAM

CRIMINAL ORIGINAL PETITION No.21388 of 2018

MARY

[PETITIONER / ACCUSED]

Vs

STATE REP. BY

[RESPONDENT]

INSPECTOR OF POLICE,

H5 NEW WASHERMENPET POLICE STATION,
CHENNAI.

CR.NO. 1506 OF 2017

For Petitioner : M/S.S.NAMBIRAJAN Advocate

For Respondent : MR.R.SURYA PPRAKASH , Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 174 (iii) Cr.P.C @ 498(A) and 304(B) of IPC in Crime No.1506 of 2017, seeks anticipatory bail.

2. Heard both sides.

3. It is the averment by the petitioner is that already, the petitioner's son was arrested and remanded to Judicial custody on 21.04.2018 and subsequently, he was released on bail on 23.05.2018 in CrI.M.P.No.7768 of 2018 before the Principal District Sessions Judge (Vacation Court), Chennai.

3. It is the argument advanced by the petitioner that it is the deceased who committed suicide and the investigation reveals that there was a demand of dowry by the petitioner and her son, whereas, the petitioner denied the said allegation made by the prosecution. The petitioner further argued that the petitioner has been falsely implicated in this case and she is innocent and seeks anticipatory bail.

5. The learned Government Advocate (CrI.side) has submitted that the investigation is almost completed and the investigation reveals

son A1.

6. Considering the nature of the case and that the investigation is over, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the respondent-police on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of four weeks from the date of receipt of a copy of this order, this order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. and 5.30 p.m every Monday and Friday until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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 as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

25/09/2018

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 METROPOLITAN MAGISTRATE,
NO.XV,GEORGE TOWN,CHENNAI-1

2 THE CHIEF METROPOLITAN
MAGISTRATE,EGMORE[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
H5 NEW WASHERMENPET POLICE STATION,
CHENNAI.

+1 CC to M/S.S.NAMBIRAJAN Advocate on payment of necessary
charges SR.NO. 18085

RD 26/09/2018

CRL OP.21388/2018

Date :25/09/2018



WEB COPY