



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

Tuesday, the Seventh day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14018 of 2018

1 JANSI RANI

2 KAMALA

... PETITIONERS / ACCUSED Nos. 1&2

Vs

STATE REPRESENTED BY THE
THE INSPECTOR OF POLICE,
BOILER PLANT POLICE STATION,
TRICHY.

(IN CR NO. 118 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr..M.KANNAN Advocate

For Respondent : Mr.M.ASOKAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 I.P.C. in Crime No.118 of 2017, seek anticipatory bail.

2.The case of the prosecution is that the first accused married the defacto complainant after the demise of his first wife.The second accused is the mother of the first accused. In order to get more interest, the defacto complainant deposited a sum of Rs.15,00,000/- in the name of the second accused and the name of the defacto complainant was shown as nominee. After verifying the same, the defacto complainant has found that his name was not shown as nominee. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the first petitioner is the wife of the defacto complainant. The second petitioner is the mother-in-law of the defacto complainant. Due to misunderstanding between the first petitioner and the defacto complainant, the defacto complainant filed a divorce petition. The first petitioner has also filed a restitution of conjugal rights petition. As an after thought and counter-blast, the defacto complainant has preferred the present complaint in Crime No.118 of 2017 before the respondent police. Hence, he prays for anticipatory



bail.

4.The learned Additional Public Prosecutor appearing for the respondent submits that the charge sheet has been laid before the learned Judicial Magistrate No.VI, Trichirappalli and the same was taken cognizance in C.C.No.251 of 2018 and it is pending for trial.

5.Taking note of all these aspects, 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 No.VI, Trichirappalli and on their executing 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 learned Magistrate concerned and on further condition that the first petitioner shall appear before the Trial Court on all hearing without fail. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.Since the second petitioner is an aged woman, she need not appear in person before the trial Court for every hearing. She shall appear at the time of examination U/s. 313 Cr.P.C., and at the time of pronouncement of the Judgment.

7.Except the aforesaid occasions, on other hearing dates the second petitioner can be represented through counsel.

8.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
07/08/2018

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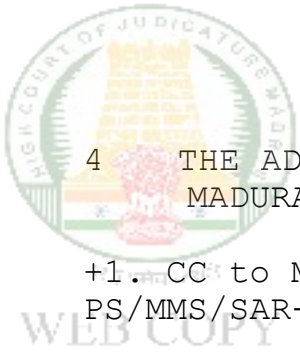
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MSA
TO

1 THE JUDICIAL MAGISTRATE NO-VI,
TIRUCHIRAPPALLI.

2 THE CHIEF JUDICIAL MAGISTRTE
TRICHIRAPPALLI.

3 THE INSPECTOR OF POLICE
BOILER PLANT POLICE STATION,
TRICHY.



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

+1. CC to M/S.M.KANNAN Advocate SR.No.15235
PS/MMS/SAR-4:21/08/2018:3P/6C

ORDER

IN

CRL OP(MD) No.14018 of 2018

Date :07/08/2018