



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

Friday, the Tenth day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.14181 of 2018

ABIRAMI

... PETITIONER / ACCUSED No.1

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SRIVILLIPUTHUR TOWN POLICE STATION,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
Crime No.730 of 2013

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.MAHENDRAPATHY Advocate

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

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

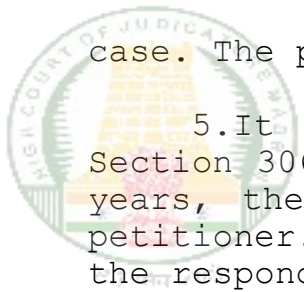
ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 Cr.P.C @ Section 306 I.P.C in Crime No.730 of 2013, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner got married the deceased Mariappan. Due to quarrel and misunderstanding between them, the petitioner lodged a complaint before the All Women Police Station, Theni. It was treated as petition enquiry. Due to which, her husband committed suicide by consuming poison on 20.12.2013. The respondent police registered a case under Section 174 Cr.P.C and on the same day, it was altered into Section 306 I.P.C.

3.The learned counsel appearing for the petitioner would submit that due to misunderstanding between the petitioner and her husband, there was a complaint before the All Women Police Station, Theni. The said dispute was compromised before the Inspector of Police, All Women Police Station, Theni District. Thereafter, they lived together. But, due to the said misunderstanding, he himself committed suicide by consuming poison on 20.12.2013. He further submitted that the petitioner did not commit any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate(Crl.Side) appearing for the respondent submitted that totally there are five accused in this



case. The petitioner is arraigned as A1.

5.It is seen from the records that the offence altered into Section 306 I.P.C as early as on 20.12.2013 itself. For the past 5 years, the respondent police did not take any action against the petitioner. Now, the petitioner apprehends arrest at the hands of the respondent police.

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6.Taking note of the facts and circumstances, 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 No.II, Srivilliputhur, Virudhunagar District 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 as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.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 shall stand dismissed.

sd/-
10/08/2018

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO II, SRIVILLIPUTHUR.

2.THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3.THE INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

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

+1. CC to Mr.S.MAHENDRAPATHY Advocate SR.No.15444

ORDER
IN
CRL OP(MD) No.14181 of 2018
Date :10/08/2018