

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

Tuesday, the Thirtieth day of October Two Thousand and Eighteen

PRESENT

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

CRL OP(MD) No.19379 of 2018

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1.MOHANA SUNDARI
2.JEYANDI
3.SHIVA PRIYA
4.MARI SELVI
5.THANGAPOO

... PETITIONERS / ACCUSED 1 TO 5

Vs

THE INSPECTOR OF POLICE,
NAZARETH POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.82 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.V.ANGUSAMY Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Govt. Advocate (Crl.Side)

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

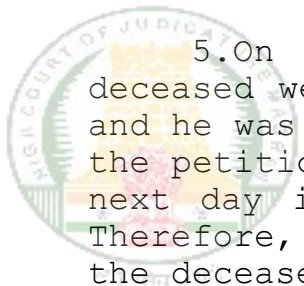
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 306 I.P.C, in Crime No.82 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 14.06.2018, the deceased went to the house of the tailor, at that time, the tailor was not present and his brother only present. Hence, she came out from the house and after one hour, the petitioners loitered about the character of the deceased as if she had an affair with Seenipandi of the same locality. On 15.06.2018 at about 5.00 p.m, she poured kerosene on her body and set fire by herself. After 24 days, she was died. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners never loitered about the character of the deceased and the petitioners are neighbours and due to previous enmity, the complaint has been foisted as against the petitioner. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submitted that the the petitioners had loitered about the character of the deceased . Only that reason, she committed suicide. She also produced the Dying Declaration Report of the deceased, wherein, it is stated that only because of her character loitered by the petitioners, she committed suicide. The RDO report also shows that only the petitioners suspected the character of the deceased, she committed suicide.



5. On perusal of records shows that on 14.06.2018, when the deceased went to Seenipandi brother's tailor shop to collect Jacket and he was not there. Then, she came out from the house. After that, the petitioners loitered about the character of the deceased. On the next day ie. 15.06.2018 at about 5.00 p.m she committed suicide. Therefore, no evidence to show that immediately before the death of the deceased, the petitioners suspected to commit suicide.

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6. Taking note of the facts and circumstances, 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, Sathankulam 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 petitioners shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. 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 shall stand dismissed.

sd/-
30/10/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
SATHANKULAM, THOOTHUKUDI DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3. THE INSPECTOR OF POLICE,
NAZARETH POLICE STATION, THOOTHUKUDI DISTRICT.

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

+1. CC to Mr.V.ANGUSAMY Advocate SR.No.20629.

ORDER
IN
CRL OP(MD) No.19379 of 2018
Date : 30/10/2018