



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

Wednesday, the Twenty Seventh day of March Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.4125 of 2019

SATHIYAUTHIRADEVEI

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
TOWN POLICE STATION,
SIVAGANGAI, SIVAGANGAI DISTRICT.
CRIME NO.125 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.BALAMURUGAPANDI, Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. 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 offence under Sections 294 (b), 324 and 506 (ii) of IPC in Cr.No.125 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner is the daughter-in-law of the defacto complainant. On the day of occurrence, there was a wordy quarrel between the petitioner and the defacto complainant for demanding a dowry. The petitioner has taken the heated water and sprinkled that on the defacto complainant. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He would further submit that the petitioner is the 7 months pregnant lady. He would further submit that she is ready to pay a sum of Rs.10,000/- to her mother-in-law without prejudice to her rights. Hence, she prayed for granting anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that if the petitioner is ready to



pay a sum of Rs.10,000/- this Court may consider the anticipatory bail application of the petitioner.

5. Considering the facts and circumstances of the case, since the petitioner is come forward to pay a sum of Rs.10,000/- to her mother-in-law, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, No.I, Sivagangai District, on condition that the petitioner shall execute 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 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) the petitioner shall deposit a sum of Rs.10,000/- to the Credit of Crime Number Cr.No.125 of 2019 before the learned Judicial Magistrate, No.I, Sivagangai District before the execution of sureties, without prejudice to their defence. Thereafter, the said amount disburse to the Defacto complainant.

(b) the petitioner and the sureties shall affix her photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

27/03/2019

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



TO

1. THE JUDICIAL MAGISTRATE NO.I,
SIVAGANGAI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE
TOWN POLICE STATION,
SIVAGANGAI, SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to Mr.D.BALAMURUGAPANDI, Advocate SR.No.5680

ORDER
IN
CRL OP(MD) No.4125 of 2019
Date :27/03/2019

MS/VR/SAR-3/02.04.2019/3P.6C