



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.10700 of 2019

M.Selvi, ... Petitioner/Accused No.2

Vs

State rep by
The Inspector of Police,
Ariyamangalam Police Station,
Trichy District (Cr.No.292/2019).

... Respondent/Complainant

For Petitioner : M/s.T.Senthilkumar,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Cr.No.292/2019 on the file of the respondent police.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 306 of IPC, in Crime No.292 of 2019, seeks anticipatory bail.

2.Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is an innocent and she has been falsely implicated in the above case. He further submitted that the petitioner has not committed any offence and therefore, he prayed



for granting anticipatory bail to the petitioner.

4.The learned Government Advocate (criminal side) has submitted that the other members of the self help group that the petitioner herein has received the Aadhar Card and Ration Card of the deceased and retained by her and that is also abetted the deceased to commit suicide. Hence, she strongly opposed this petition.

5.As per the F.I.R., the entire allegations are made against one Poongodi and she only has been shown as an accused. But, the Investigating Officer has stated that during investigation, he came to know by enquiring with the other members of the self help group that the petitioner herein has received the Aadhar Card and Ration Card of the deceased and retained by her and that also abetted the deceased to commit suicide. As already pointed out that in the F.I.R. the allegations are made against only Poongodi, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.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.VI, Trichy, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioner fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

(v)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].



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

sd/-
29/07/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI
TRICHY
 - 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE
TRICHY
 - 3 THE INSPECTOR OF POLICE
ARIYAMANGALAM POLICE STATION,
TRICHY DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.SENTHILKUMAR Advocate SR.No.12467

ORDER
IN
CRL OP(MD) No.10700 of 2019
Date :29/07/2019

KM/JC/SAR-II (08.08.2019) 3P 6C