



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

Date : 31/01/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.1671 of 2020

1. Angumuthu
2. Nellamudaiyal
3. Sarvanairulandi
4. Muniyaselvi

... Petitioners/Accused No.1 to 4

Vs

The State Rep. by
The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District
Cr No.169/2019.

... Respondent/Complainant

For Petitioners : M/s.S.Sivaprakash,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory bail in Crime No.169 of 2019 on the file of the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences under section 174 of Cr.P.C. @ into Sections 294(b), 323, 324, 506(ii) and 306 of I.P.C., in Crime No.169 of 2019 on the file of the respondent police, seek anticipatory bail.



3. The case of the defacto complainant is that her husband was beaten up by the petitioners group and as result of frustration, he committed suicide by hanging himself. The petitioners' counsel would point that the deceased had as many as three wives and that his second wife committed suicide in the very same house and that the cause for suicide is something else.

4. Even according to the defacto complainant, the petitioners had only beaten him and the petitioners did not intend that the deceased should die. If the deceased had committed suicide out of frustration, that is only extreme reaction on his part. The petitioners cannot be blamed for the same. The elementary ingredients of Section 306 of I.P.C. are absent in this case. However, this observation is made only for the purposing of granting relief in this case.

5. In view of the above, I am 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, Kamuthi, Ramanthapuram District, 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 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/-
31/01/2020

/ TRUE COPY /

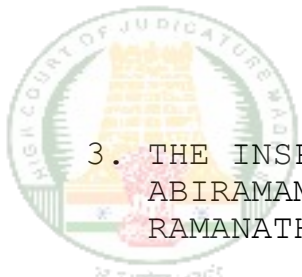
/ /2020

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

TO

1. THE JUDICIAL MAGISTRATE,
KAMUTHI, RAMANTHAPURAM DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



3. THE INSPECTOR OF POLICE,
ABIRAMAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.S.SIVA PRAKASH, Advocate (SR-1984[I] dated 31/01/2020)

ORDER

IN

CRL OP(MD) No.1671 of 2020

Date :31/01/2020

IAS

TE/VR/SAR-II : 07/02/2020 : 3P/6C