



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

Date : 13/07/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN
CRL OP(MD). No.7323 of 2020

Udayakumar@udhayakumar

... Petitioner/Accused No.5

Vs

The State represented by
The Inspector of Police,
Ariyamkangalam Police Station,
Trichy City.
(Crime No. 281 of 2020).

... Respondent/Complainant

For Petitioner : Mr. M.Pitchai Muthu,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

For Anticipatory Bail in Crime No. 281 of 2020 on the file of
the respondent police

ORDER : The Court made the following order :-

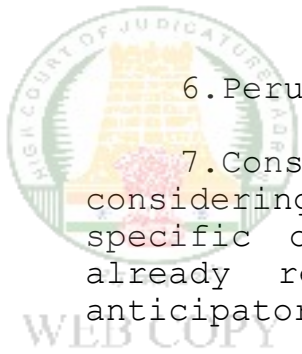
The petitioner, who is arrayed as A5, apprehending arrest at
the hands of the respondent police for the offences punishable under
section 306 of IPC, in Crime No.281 of 2020 on the file of the
respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the
relative of A1. The deceased was got married to A1. There is a
matrimonial dispute between the deceased/husband and A1/wife, the
petitioner and other accused persons have supported A1 and abused
the deceased by using filthy language. Due to humiliation, the
deceased is said to have committed suicide. Hence, the present
complaint.

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

4.The learned counsel appearing for the petitioner submitted
that the petitioner is an innocent person and he has been falsely
implicated in this case. He further submitted that the petitioner is
the relative of A1 only. He further submitted that A1 was already
arrested and released on bail. Hence, he seek anticipatory bail.

5.The learned Government Advocate (Crl. Side) appearing for the
respondent police submitted that there is no specific overtact
attributed against the petitioner.



6.Perused the materials available on record.

7.Considering the facts and circumstances of the case and considering the materials available on record that there is no specific overtact attributed against the petitioner and Al was already released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or her appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Trichy, Trichy District, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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:

(a)the petitioner and the sureties shall affix their 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;

(b)the petitioner shall report before the respondent police as and when required for interrogation.

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

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

(e)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]; and;

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

sd/-
13.07.2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. The Judicial Magistrate No.VI, Trichy,
Trichy District.
2. -Do- Through The Chief Judicial Magistrate,
Trichy District.
3. The Inspector of Police,
Ariyamkangalam Police Station,
Trichy City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.7323 of 2020
Date : 13/07/2020

VB SKN SAR 2 (14.07.2020) 3P 5C