



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/07/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7336 of 2020

1. Natarajan
2. Thayalnagi

... Petitioners/Accused No.2 & 3

Vs

State rep by
The Inspector of Police,
Thirumelakudi Police Station,
Thanjavur District.
Crime No.45 of 2020.

... Respondent/Complainant

For Petitioner : M/s.C.Ezhilarasu,
Advocate.

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

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

PRAYER :-

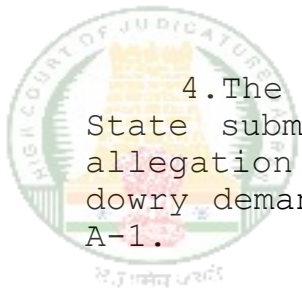
For Anticipatory Bail In Crime No.45 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Section 174(3) Cr.P.C @ 304(B) of I.P.C., in Crime No.45 of 2020, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the deceased in this case is a wife of A-1 and the petitioners are parents of the A-1 and she was pregnant at the time of committing suicide. A-1 in this case harassed the deceased demanding dowry and also physically assaulted her. Unable to bear the torture, the deceased had committed suicide by hanging herself. Hence, a case has been registered.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have nothing to do with the alleged offence, all the allegations are against A1 only and absolutely there is no allegation against the petitioners.



4.The learned Government Advocate (Crl. side) appearing for the State submitted that this petitioners are concerned, there is no allegation against them except the fact that they involved in the dowry demand and the main allegation is only against the husband of A-1.

5.Considering the facts and circumstances of the case and also considering the fact that there is no allegation against them and the main allegation is only against the husband/A-1, 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, within a period of four weeks from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Thiruvidadimaruthur, Thanjavur District, on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each 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 petitioners 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 petitioners shall report before the respondent police as and when required for interrogation;

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

(d)the petitioners 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 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;

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

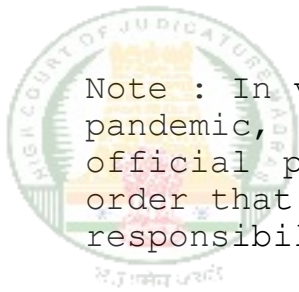
sd/-

14.07.2020

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



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.

WEB COPY

TO

1. The District Munsif cum Judicial Magistrate,
Thiruvidadaimaruthur, Thanjavur District.
2. Do-Through The Chief Judicial Magistrate,
Thanjavur at Kumbakonam.
3. The Inspector of Police,
Thirumelakudi Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.7336 of 2020

Date : 14/07/2020

VB SKN SAR 3 (16.07.2020) 3P 5C