



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

Date : 09/11/2020

PRESENT

**The Hon`ble Mr.Justice S.M.SUBRAMANIAM**

CRL OP(MD). No.12692 of 2020

Malarvizhi

... Petitioner/Sole Accused

Vs

State Rep.by  
The Inspector of Police,  
Pappanadu Police Station,  
Thanjavur District.  
(Crime No.1387/2020

... Respondent/Complainant

For Petitioner : Mr.P.Kandasamy,  
Advocate.

For Respondent : M/s.M.Anandha Devi,  
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.1387 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused herein was arrested on 05.06.2020 for the alleged offences under Sections 174(3) Cr.P.C., @ Sections 306, 498 and 304(B) of IPC, in Crime No.1387 of 2020, on the file of the respondent Police, seeks bail.

2.The petitioner is the mother-in-law of the deceased and the case was registered against the petitioner under Sections 306, 498 and 304(B) of IPC.

3.The learned counsel appearing for the petitioner made a submission that the husband of the deceased was arrested and he is in jail. As far as the petitioner is concerned, she is an aged women and taking treatment even in the prison now and her health condition is deteriorated. Therefore, bail may be granted to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing on behalf of the respondent opposed the contention by stating that the



jointly demanded dowry and out of frustration, the deceased had committed suicide. Hence, this petition is to be dismissed.

5.Considering the health condition of the petitioner and further she is an aged woman and there is no possibility of tampering the evidence, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, out of which, one shall be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Orathanadu, Thanjavur District.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter, as and when required for interrogation.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during 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].

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

sd/-

09/11/2020

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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



TO

1. THE JUDICIAL MAGISTRATE, ORATHANADU,  
THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE,  
SPECIAL PRISON FOR WOMEN, TRICHIRAPPALLI.
4. THE INSPECTOR OF POLICE,  
PAPPANADU POLICE STATION, THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.12692 of 2020  
Date :09/11/2020

MS/VR/SAR-2/09.11.2020/3P.6C