

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Fifteenth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.5062 of 2021

JAKKAMMAL

[ PETITIONER / ACCUSED ]

Vs

STATE REP.BY

[ RESPONDENT ]

INSPECTOR OF POLICE,  
MANNARGUDI TOWN POLICE STATION,  
THIRUVARUR DISTRICT.  
CRIME NO.322 OF 2021.

For Petitioner : M/S. SWAMI SUBRAMANIAN Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 174(3) of Cr.P.C and altered to 306 of I.P.C in Crime No.322 of 202, on the file of the respondent Police, seeks anticipatory bail.

2. Totally there are two accused in this case. The petitioner/A2 is the mother-in-law of the deceased and A1 is the husband of the deceased. It is alleged that A1 in this case had married to the deceased on 10.02.2019. Subsequently both of them went to Abudhabi and there was a misunderstanding between them and A1 quarreled with the deceased and harass her. Due to which she committed suicide by hanging on 23.02.2021. Based on the complaint given by the father of the deceased the case was registered.

3.The learned counsel for the petitioner would submit that the petitioner is the mother-in-law of the deceased and A1/husband of the deceased is the main accused in this case and he was arrested and released on bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor opposed the Anticipatory bail application stating that as per the F.I.R and R.D.O report A1 harassed the petitioner the petitioner, due to which she committed suicide by hanging. Hence the case was registered under Sections 174(3) of Cr.P.C and altered to 306 of I.P.C.

5. Considering the facts and circumstances of the case and the petitioner is only the mother-in-law of the deceased, and there is no serious allegation against her, the main accused A1 had been arrested and released on bail, 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Mannargudi, Thiruvarur District 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix his 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

15/03/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.I,  
MANNARGUDI, THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVARUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

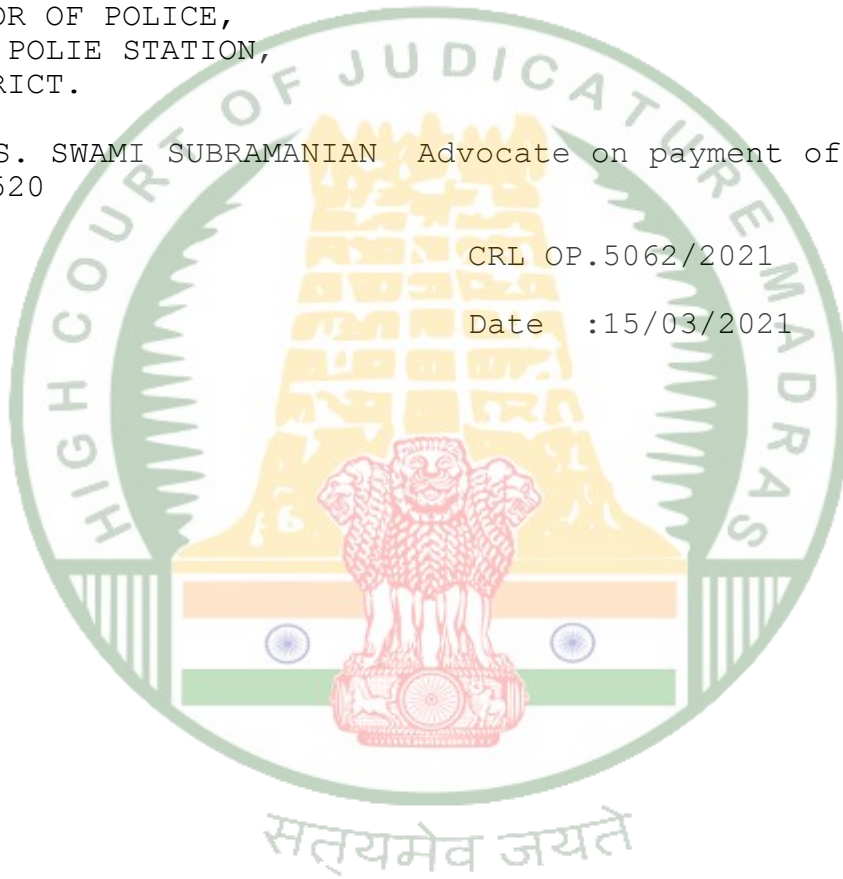
4 THE INSPECTOR OF POLICE,  
MANNARGUDI TOWN POLIE STATION,  
THIRUVARUR DISTRICT.

+1CC to M/S. SWAMI SUBRAMANIAN Advocate on payment of necessary  
charges SR NO.3520

CRL OP.5062/2021

Date :15/03/2021

MK:25/03/2021



WEB COPY