



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.11218 of 2021

1. Suganthi
2. Kowsalya
3. Chitra

... Petitioners

Vs.

The State Represent by
The Inspector of Police,
Thiruvallur Town Police Station,
Thiruvallur District.
Crime No.138 of 2021.

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C, prayed to enlarge the petitioners on bail in the event of their arrest in connection with the case in Cr.No.138 of 2021 pending investigation on the file of the respondent Police.

For Petitioners : Mr.D.Dayalan

For Respondent : Mr.C.E.Pratap
Government Advocate (CrI side)

ORDER

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 174(3) of Cr.P.C. subsequently it was altered into Section 306 of IPC in Crime No.138 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are the in-laws of the deceased. The marriage was solemnized between the deceased Thenmozhi @ sheebha and A1 during the year 2018 and out of the wedlock, they blessed with on female child. Thereafter, there was a misunderstanding arose between the couple. Due to which, the deceased Thenmozhi had committed suicide by hanging herself in her matrimonial house on 07.03.2021.

3.The learned counsel appearing for the petitioners submit that the petitioners have not been committed any offence as alleged by the prosecution and the petitioners are only in-laws. Due to



misunderstanding with A1, the deceased had committed suicide. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate submitted that in this case, RDO enquiry has been conducted and there is no specific allegation against these petitioners and hence, he has no serious objection against these petitioners.

5. Considering the fact that there is no serious allegation made as against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Thiruvallur, on condition that the petitioners shall execute separate 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 respondent police or 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 Court concerned 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 daily at 10.30 a.m. until further orders;

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

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-sd/-

02/07/2021

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, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
THIRUVALLUR TOWN POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.D.DAYALAN Advocate on payment of necessary charges
Sr.7041

CRL OP.11218/2021

Date :02/07/2021

RVR 13/07/2021