



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13599 of 2021

PUSHPA SELVAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
T-14, MANGADU POLICE STATION,
MANGADU, CHENNAI
(CRIME NO.735/2021)

[RESPONDENT]

For Petitioner : M/S K.BALASURAMANIAM Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 174 of Cr.P.C altered to Section 498(A) and 306 of I.P.C in Crime No.735 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the deceased married A1 on 23.07.2012 and due to the said wedlock they have a female child aged about 8 years. It is alleged that A1 and the petitioner harassed the deceased by demanding more dowry from her. Due to which the deceased committed suicide by hanging. Hence, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that there was some matrimonial dispute between A1 and the deceased. Apart from she was not in any connected with the alleged offence. Therefore, he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that the petitioner harassed the deceased by demanding more dowry from her, due to which the deceased committed suicide by hanging. Hence he opposed for grant of anticipatory bail to the petitioner.

5. Considering the submissions on either side and the fact that the petitioner is only mother-in-law of the deceased and the main allegation is against A1, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sriperumpudur 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 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 Court concerned 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 daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation;

(c) the petitioner 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 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/-

05/08/2021

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,
SRIPERUMPUDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
T-14, MANGADU POLICE STATION,
MANGADU, CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S K.BALASURAMANIAM Advocate on payment of necessary charges SR.No.8238

CRL OP.13599/2021

Date :05/08/2021

APN 16/08/2021