



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15681 of 2021

1 ARUNACHALAM
2 MUNIYAMMAL,

[PETITIONERS / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
SHOLAVARAM POLICE STATION,
THIRUVALLUR DISTRICT.
(CRIME NO. 1202 OF 2021)

[RESPONDENT]

For Petitioner : M/S.M.D.ILAYARAJA Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence under Section 174 of Cr.P.C and subsequently altered into 306 of IPC in Crime No.1202 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the son of the petitioners married the deceased in the year 2010 and out of the wedlock, they have two children. While so on the ear boring function of the children the son of the petitioner demanded dowry from the parents of the deceased and harassed the deceased, due to which the deceased committed suicide by hanging. Hence, the law enforcing agency registered a case against the petitioners.

3. The learned counsel for the petitioners submitted that there was some matrimonial dispute between their son and the deceased and the petitioners herein are only in-laws of the deceased and they are no way connected with the alleged offence and they have been falsely implicated in this case Therefore, he prays to grant anticipatory bail to the petitioners.

4.. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is no previous case pending against the petitioners.



5. Considering the facts of the case and the petitioners are only in-law of the deceased, 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 No.II, Ponneri on condition that each of the petitioners shall execute a separate bonds 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 for a period of two weeks and thereafter 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 petitioner 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.

-sd/-

01/09/2021

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.II,
PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVALLUR.[FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.D.ILAYARAJA Advocate on payment of necessary
charges

CRL OP.15681/2021

Date :01/09/2021

CSK 02/09/2021