

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.01.2021

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.20816 of 2020

ANJUMANI RAJENDRAN

... Petitioner

Vs.

The State rep by
The Inspector of Police
ANAIKARANCHATRAM POLICE STATION
NAGAIPATTINAM DISTRICT
(CRIME NO.892 OF 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C. seeking to enlarge the petitioner on bail in the event of arrest in Crime No.892 of 2020 pending investigation on the file of the respondent.

For Petitioners: M/s.Om Sai Ram

For Respondent : Mr.Shunmuga Rajeshwaran
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Section 306 IPC in Crime No.892 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Veeramani is that his younger sister Ranjitha was given in marriage to the first accused Rajesh on 31.03.2020. While so, on 28.09.2020, the defacto complainant's Junior Paternal uncle had informed him that his sister had not picked up the phone and thereby, he had asked one of his relative Devika to go and visit his sister and when she had gone there, she had seen his sister found having committed suicide by hanging. Based on the the complaint, the case was registered under Section 174 (3) Cr.P.C. Later, the case was altered to one under Section 306 IPC.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and she has been wrongly roped in this case. He would submit that the petitioner is the mother-in-law of the deceased. On the fateful day, there was a quarrel

between the deceased and A1 on account of deceased reprimanding A1's nephew for watching T.V. and due to the quarrel, the victim committed suicide by hanging. He would submit that there is absolutely no demand of dowry and that the victim committed suicide on account of quarrel with her husband /A1. He would further submit that A1/husband of the deceased was arrested and he has been enlarged on bail. Though, the R.D.O. enquiry is pending, none of the witnesses have spoken about the petitioner having demanded any dowry and there is absolutely no material to implicate the petitioner for having abetted the suicide of the victim. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) would oppose for the grant of anticipatory bail stating that the petitioner is the mother-in-law of the deceased. The marriage between the son of the petitioner and the deceased was conducted on 22.03.2020 and within six months of marriage, the victim committed suicide by hanging. He would further submit that the allegation against the petitioner is that there was a quarrel between the son of the petitioner and the deceased during which, the petitioner had intervened and told the deceased that if she is not interested in living with her son, she can go to her parents house.

5. Heard the learned Counsels on both sides.

6. Taking into consideration the facts and circumstances of the case and the fact that A1/husband of the deceased was arrested and released on bail and that there is no allegation of demand of dowry, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Seerkazhi, 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, the petition for anticipatory bail shall stand dismissed 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 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 daily at 10.30 a.m. for a period of two weeks and thereafter, every Monday at 10.30 a.m. until further orders.

[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 abscond/s, a fresh FIR can be registered under Section 229A IPC.

-sd/-

19/01/2021

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,
SEERKAZHI.

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

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ANAIKARANCHTRAM POLICE STATION,
NAGAPATTINAM DISTRICT.

+1 CC to M/S.OM SAI RAM Advocate on payment of necessary charges SR NO. 533

CRL OP.20816/2020

Date :19/01/2021

MN-29/01/2021

<https://hcservices.ecourts.gov.in/hcservices/>