



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Second day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20691 of 2021

DHANALAKSHMI

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY

[ RESPONDENT ]

THE INSPECTOR OF POLICE,  
POCHAMPALLI POLICE STATION,  
KRISHNAGIRI DISTRICT.  
CRIME NO. 328/2020.

For Petitioner : M/S M.P.SARAVANAN 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 apprehends arrest for the alleged offence under Section 174(1) Cr.P.C @ 302 of IPC in Cr.No.328 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the wife of deceased person and she picked up quarrel with her husband and there arose wordy quarrel between them in which the petitioner along with her father/A-1 have attacked her husband with wooden log and subsequently the husband of the petitioner died in the said attack. Thereby, the father of the deceased lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that the co-accused/A-1 had enlarged on bail by this Court in Crl.O.P.No.11060 of 2021 dated 30.06.2021. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submits that the petitioner is the wife of deceased person and she is alleged to have attacked her husband with wooden log and subsequently, her husband died. Hence, he vehemently opposed for granting anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and that the co-accused had enlarged on bail by this Court in CrI.O.P.No.11060 of 2021 dated 30.06.2021, this Court is inclined to grant anticipatory bail to the petitioner.

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6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **District Munsif Cum Judicial Magistrate, Pochampalli** 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 is directed to report before the respondent police daily 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 anticipatory 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/-  
02/11/2021

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 DISTRICT MUNSIF CUM  
JUDICIAL MAGISTRATE, POCHAMPALLI,  
KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE  
KRISHNAGIRI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
POCHAMPALLI POLICE STATION,  
KRISHNAGIRI DISTRICT.

+1 CC to M/S M.P.SARAVANAN Advocate on payment of necessary  
charges SR.NO.12389

CRL OP.20691/2021

Date :02/11/2021

TA-16/11/2021