



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.24022 of 2021

WEB COPY

Gomathi

.. Petitioner

Vs.

The State Rep.by
The Inspector of Police,
Arani Police Station,
Thiruvallur District.
Crime No.259 of 2021

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of her arrest in Crime No.259 of 2021 on the file of the respondent police.

For Petitioner : Mr.S.Sasikumar

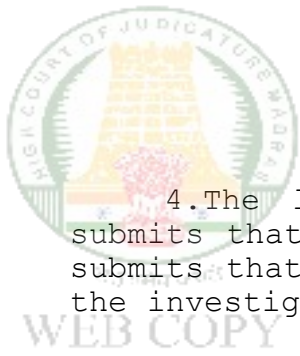
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 174 Cr.P.C 201 IPC @ 201, 306 IPC in Crime No.259 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the wife of the deceased and petitioner is the sister of the deceased. It is alleged that defacto complainant performed intercaste marriage with deceased. The deceased committed suicide by hanging himself on 17.09.2021, petitioner along with family members cremated the body of the deceased without informing the defacto complainant. Hence the complaint.

3.The learned counsel appearing for the petitioner submits that she is no way connected with the occurrence as alleged by the prosecution and she has been falsely implicated in this case and he further submitted that co-accused were already released on bail and the petitioner is sister of the deceased . Hence, he prays for grant of bail.



4. The learned Government Advocate (Crl side) on instructions submits that co-accused were already released on bail and he further submits that there is no previous case as against the petitioner and the investigation is almost completed.

5. Considering the submissions made by both counsel and also considering the fact that co-accused were released on bail and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is 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, Ponneri, 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 Magistrate 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 as and when required for interrogation;

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

10/12/2021

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, PONNERI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRIVALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
ARANI POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. S.SASIKUMAR Advocate on payment of necessary charges
Sr.14503

CRL OP.24022/2021

Date :10/12/2021

RVR 15/12/2021