



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 03/06/2021

PRESENT

**The Hon`ble Mr.Justice N.ANAND VENKATESH**

**CRL OP(MD).No.6938 of 2021**

C.Lakshmi

... Petitioner/Accused-1

/Vs/

State by,  
The Inspector of Police,  
Samayanallur Police Station,  
Madurai.  
Cr.No.118/2021.

... Respondent/Complainant

For Petitioner : Mr.C.Iyyanar  
Advocate.

For Respondent : Mr.S.Ravi,  
Additional Public Prosecutor

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

**PRAYER :-**

For Anticipatory Bail in Crime No.118 of 2021 on the file of the respondent police.

**ORDER :** The Court made the following order :-

The petitioner, who apprehends arrest by the respondent police for an offence punishable under Sections 294(b), 109 and 306 of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, has filed the present anticipatory bail petition.

2.The case of the prosecution is that the deceased took the extreme step of self immolating herself, due to the harassment and instigation of the accused persons on 17.03.2021. According to the prosecution, the deceased has also left behind a suicide note, where she has specifically stated the names of the persons responsible for her taking the extreme step of committing suicide.

3.The learned counsel for the petitioner submitted that the petitioner is the landlord of the property, which was leased to A2. It was further submitted that A2 is the husband of the deceased. It was submitted that the deceased had an illicit relationship with another person and this came to be questioned by her husband. Therefore, the deceased had taken the extreme step of committing



suicide. The learned counsel submitted that the petitioner has nothing to do with the alleged offence and she has been unnecessarily roped in as an accused in this case.

4.The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that there is a suicide note left behind by the deceased and name of the petitioner has also been mentioned as one of the persons responsible for the death of the deceased. The learned counsel further submitted that A2 to A4 were arrested and remanded to judicial custody. It was further brought to the notice of this Court that the deceased was pregnant at the time when she committed suicide.

5.Taking into consideration the facts and circumstances of the case and also of the fact that certain materials have been placed before this Court to substantiate the plea taken by the petitioner that the deceased had an illicit relationship with one Balaji and also considering the fact that custodial interrogation of the petitioner may not be required in this case, this Court is inclined to grant anticipatory bail to the petitioner by imposing certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest by the respondent police on executing personal bond for a sum of Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a likesum to the satisfaction of the respondent police and on further condition that the petitioner shall appear before the learned Judicial Magistrate, Vadipatti, and execute a fresh personal bond for a sum of Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a likesum to the satisfaction of the concerned Judicial Magistrate, within a period of one month, from the date of resumption of regular work in subordinate Courts in view of the present pandemic situation and on further conditions that:

[a]the sureties shall affix their photographs and Left Thumb Impression in the surety bonds and the Magistrate may obtain a copy of their Aadhar cards or Bank pass Books to ensure their identity;

[b]the petitioner shall report before the respondent police every Friday, at 11.00 a.m., for a period of four weeks and thereafter as and when required;

[c]the petitioner shall not abscond either during investigation or trial;

[d]the petitioner shall not tamper with evidence or witness 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]**; and



[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
03/06/2021

WEB COPY

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE JUDICIAL MAGISTRATE, VADIPATTI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,  
SAMAYANALLUR POLICE STATION, MADURAI.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.6938 of 2021  
Date :03/06/2021

SM  
PK/PN/SAR-III/08.06.2021 : 3P/5C