



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.8639 of 2021

Chitra ... Petitioner/Accused No.2
Vs

State Rep by
The Inspector of Police,
Vathalai Police Station,
Trichy District,
Crime No.85/2021. ... Respondent/Complainant

For Petitioner : Mr.S.Vidhya Sagar

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.85 Of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 174 Cr.P.C., altered into Section 306 IPC in Crime No.85 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that one Rajendran requested the deceased, namely Vinoth, to teach auto driving to his son, namely Kabilan. Hence, he taught auto driving to the said Kabilan for two months. During this period, the said Kabilan developed an affair with one Keerthi and eloped with her on 15.02.2021. On the basis of the complaint filed by the parents of the said Kabilan abused the deceased



that he has spoiled their son's life. Due to this, the deceased committed suicide by consuming poison on 23.02.2021 at about 01.00 pm. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He further submitted that the petitioner's husband was arrested and subsequently, released on bail.

4.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl.side) appearing for the respondent police.

5.Considering the nature of the offence and the fact that the petitioner's son eloped with one Keerthi, due to which, the petitioner and her husband said to have abused the deceased and due to the same, he committed suicide and also the fact that the petitioner's husband was arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner.

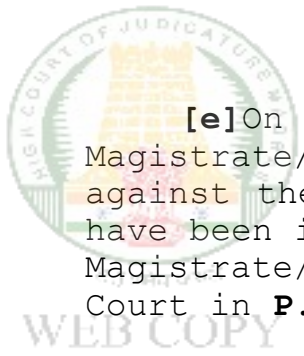
6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Musiri, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before respondent police every Monday at 10.30 am., until further orders.

[c]the petitioner shall not tamper with the 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, a fresh FIR can be registered under Section 229-A IPC.

sd/-
04/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

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,
MUSIRI
- 2 THE CHIEF JUDICIAL MAGISTRATE
TRICHY
- 3 THE INSPECTOR OF POLICE
VATHALAI POLICE STATION,
TRICHY DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M/S.JEYAKARTHIK, Advocate (SR-5100[I]
dated 05/08/2021)

ORDER
IN
CRL OP(MD) No.8639 of 2021
Date :04/08/2021