



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.14012 of 2021

WEB COPY

Sathiya @ Saritha

... Petitioner/Accused

Vs

The State Rep. by
The Inspector of Police,
Somarasanpetti Police Station,
Trichy District.
Cr.No.692 of 2021.

... Respondent/Complainant

For Petitioner : M/s.Anandkumar J,
Advocate.

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

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

PRAYER:-

C-6AB. For Anticipatory Bail in Crime No.692 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 302 IPC in Crime No.692 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has attempted to commit suicide along with her two children by jumping into the well and they were rescued by nearby people. The petitioner alone was saved, but the children died in the incident. On the complaint given by the brother-in-law of the petitioner, a case has been registered and therefore, now the petitioner is apprehending arrest.

3.The learned counsel for the petitioner submitted that the petitioner's husband is a drunkard and he harassed this petitioner and the children under the influence of alcohol. Therefore, petitioner decided to end her life and attempted to commit suicide along with her children. Fortunately, the petitioner could be saved, but the children died.

4.The learned Government Advocate (Crl Side) appearing for the respondent police submitted the petitioner who was unable to sustain

<https://hosevices.ceroids.net.in/hosevices/>



the life, attempted to commit suicide and her two children died.

5.Considering the pathetic situation of the petitioner, who has already lost her two children and any coercive action against her at present may drive to take any extreme step, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 as and when required.

[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/-
21/09/2021

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.V,
TRICHY.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3. THE INSPECTOR OF POLICE
SOMARASANPETTI POLICE STATION,
TRICHY DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.14012 of 2021

Date : 21/09/2021

RS/VR/SAR3 (13.10.2021) 3P 5C