



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/12/2021
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.21065 of 2021

Vennila

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Thottiyam Police Station,
Trichy District.
Cr.No. 399 of 2021.

... Respondent/Complainant

For Petitioner : M/s.KARUNAKARAN.K, Advocate.

For Respondent : Mr.K.SANJAI GANDHI, Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.399 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /Accused No.2, who apprehends arrest at the hands of the respondent Police for the offences punishable under section 306 of I.P.C., in Crime No. 399 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's wife borrowed a sum of Rs.1,00,000/- from the petitioner and her sister and she gave some interest for the said amount. Thereafter, she did not give any interest. Due to which, on 09.12.2021, the petitioner and her sister demanded money from the victim by using filthy language. Unable to bear the torture of the accused persons, on 09.12.2021 at about 03.30 p.m, the deceased poured petrol on her body and set fire and committed suicide. Hence, this complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that the deceased obtained loan from the savings of several persons. To avoid to repay the loan amount, the petitioner has been roped in this case. Further, the occurrence took place on 09.12.2021 and complaint has been only given only on 19.12.2021. He would further submit that the co-accused has been granted bail by this Court in Crl.O.P.(MD). No.21033 of 2021. Hence, he seeks anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that Dying Declaration was recorded by the concerned Magistrate.

5. Considering the facts and circumstances of the case, the fact that there is no averment against this petitioner in Dying Declaration and that the co-accused has been granted bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate, Musiri, and on his executing 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 the petitioner shall appear before the respondent police daily at 10.30 am and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
29/12/2021

/ TRUE COPY /

/ /2022
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, MUSIRI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
THOTTIYAM POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.21065 of 2021
Date : 29/12/2021

SA/VR/SAR.4/03.01.2022/2P/5C

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