



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Thursday, the Twenty Fourth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN  
CRIMINAL ORIGINAL PETITION No.3876 of 2022

U.NARMATHA

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
MUTHTHANDIKUPPAM POLICE STATION,  
CUDDALORE DISTRICT.  
(CRIME NO.396 OF 2021)

[ RESPONDENT ]

For Petitioner : M/S.K.VIJAYAKUMAR Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 494, 498(A) and 306 of IPC, in Crime No.396 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the second wife of the first accused and it is alleged that the petitioner and other accused harassed the deceased, who is the first wife of the first accused, by demanding dowry, due to which, the deceased committed suicide by hanging. Hence, the present case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent lady and she has not committed any such offences as alleged by the prosecution. He further submits that the investigation is completed and the charge sheet has been filed before the trial Court. Therefore, the custodial interrogation of the petitioner may not be necessary and thereby he pleads for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal Side) appearing for the respondent Police raised objection stating that the offence committed by the petitioner is sever in nature. However, he fairly admits that the investigation is completed and charge sheet has been laid before the learned Judicial Magistrate No.I, Panrutti.

5. Submissions made by the learned counsels appearing on either side are considered.

6. The respondent police registered a case against the petitioner for the offences punishable under Sections 494, 498(A) and 306 of IPC. Admittedly, investigation in the present case is completed and the charge sheet has been laid before the learned Judicial Magistrate No.I, Panrutti and the same is pending.

7. Taking note of all the above said aspects into consideration and having regard to the nature of the offence committed by the petitioner, this Court came to the conclusion that for the completion of investigation, custodial interrogation of the petitioner may not be necessary in this case. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

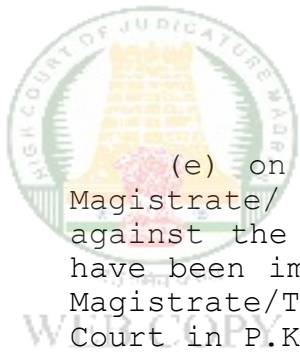
8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Kurinchipadi, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), with two sureties each for a like sum to the satisfaction of the 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the learned Judicial Magistrate No.I, Panrutti, on first working day of every month at 10.00 a.m., till the case is taken on file, particularly, till her presence in the petition mentioned case.

(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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

24/02/2022

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,  
KURINVHIPADI

2 THE CHIEF JUDICIAL MAGISTRATE  
CUDDALORE (FOR INFORMATION)

3 THE JUDICIAL MAGISTRATE,  
NO.I, PANRUTTI

4 THE INSPECTOR OF POLICE,  
MUTHTHANDIKUPPAM POLICE STATION,  
CUDDALORE DISTRICT.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.K.VIJAYAKUMAR Advocate on payment of necessary charges Sr.2868

CRL OP.3876/2022

Date :24/02/2022

RVR 28/02/2022