



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5919 of 2022

SATHYA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
GENGAVALLI POLICE STATION,
SALEM DISTRICT.
(CRIME NO.310/2021)

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

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

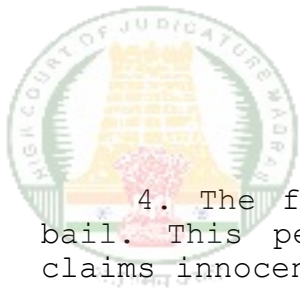
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Section 174(3) of Cr.P.C and subsequently altered in to Sections 294(b), 323, 306 of I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act 2002 in Crime No.310 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 22.11.2021, between 21.00 to 23.30 hrs, one Chellamal has committed suicide by hanging. Prior to her death, there was a quarrel with her daughter-in-law and others.

3.The FIR indicates that in the said quarrel, the first accused is the father of the daughter-in-law of the deceased, who pushed the deceased down during the quarrel and abused her in filthy language and further he has joined with the petitioner herein who is the daughter-in-law of the deceased and one Lakshmi, neighbour of the deceased. On reading of the FIR, it appears that there was a family quarrel and there was a fish fight in which, the deceased was abused in filthy language and also the accused is having illicit relationship with the sister-in-law of the first accused, unable to digest the ignominious attitude, the deceased has committed suicide.



4. The first accused had already been arrested and released on bail. This petitioner, who is the daughter-in-law of the deceased claims innocent and seeks anticipatory bail.

5. Considering the allegations made against the petitioner in the FIR and sequence of events which leads to the death of the deceased, 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 their appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate No. II, Attur, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 his 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer daily at 10.30 a.m. until further orders;

(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 has 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.

WEB COPY

-sd/-
15/03/2022

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,
NO.II, ATTUR, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
GENGAVALLI POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.E.KANNADASAN Advocate on payment of necessary charges SR.No.4146

CRL OP.5919/2022

Date :15/03/2022

CSK 23/03/2022