



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12086 of 2022

PADMAVATHY

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
MADURANTAKAM POLICE STATION,
CHENGALPATTU DISTRICT
CRIME NO.136 OF 2022.

[RESPONDENT]

For Petitioner : M/S G.MAGESH KUMAR Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

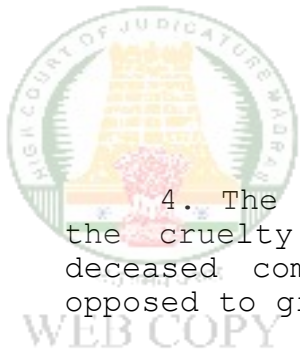
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 498(A) @ 498A & 306 of IPC, in Crime No.136 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the mother-in-law of the defacto complainant and it is alleged that the petitioner and other accused have committed cruelty upon the defacto complainant due to which, she committed suicide by setting fire herself. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent lady and she has not committed any offence as alleged by the prosecution. He further submits that she is living separately and the co-accused has already been granted anticipatory bail by this Court in CrI.O.P.No.6996 of 2022 on 28.03.2022. Therefore, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor submits that due to the cruelty committed by the petitioner and other accused, the deceased committed suicide by setting fire. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering the fact that the co-accused has already been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy made ready, before the learned Judicial Magistrate-I, Madurantakam, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[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].



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-

19/05/2022

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.I, MADURANTAKAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MADURANTAKAM POLICE STATION,
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S G.MAGESH KUMAR Advocate on payment of necessary charges SR.NO. 7535

CRL OP.12086/2022

Date :19/05/2022

RW-25/05/2022