



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.11570 of 2022

1 RAJESHWARI
2 KALAMANI
3 SENTHILKUMAR

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
PALLADAM,
TIRUPUR DISTRICT.
CRIME NO.482/2022.

[RESPONDENT]

For Petitioner : M/S.C.PRAKASAM Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 306 of I.P.C in Crime No.482 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the first petitioner's son, namely, Sathyaseelan and the deceased Haripriya was solemnised on 28.08.2020, which was an arranged marriage and out of the said wedlock, they got a male child on 24.05.2021. Since the date of marriage, the first petitioner's son and his family members demanded dowry from the deceased family. After the birth of baby, the deceased insisted the first petitioner's son to set up a nuclear family leaving his mother, for which, he



objected, due to which, she went to her parents' house and returned back to matrimonial home on 01.05.2022. All of a sudden, on 02.05.2022, the de-facto complainant received information that his daughter committed suicide by hanging. Hence, the complaint.

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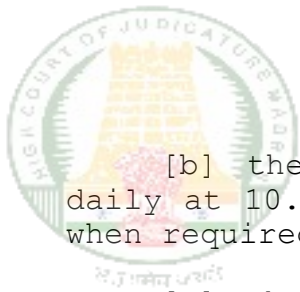
3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and as the deceased Haripriya was under mental depression, she constantly picked up quarrel with the first petitioner's son and his family members and subsequently, she went to her parents' house and stayed for some time and returned back to matrimonial home on 01.05.2022. He would submit that there is no demand of dowry by the petitioners. He would further submit that the co-accused in this case has already been arrested and released on bail by this Court on 25.05.2022. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the deceased Haripriya got married to the first petitioner's son on 28.08.2020 and since the date of marriage, they demanded dowry, due to which, she became sick under depression and she had also taken treatment for the same. He would further submit that there was frequent quarrel between them, the deceased went to her parents house and on 01.05.2022, she came back from her parents' house on the assurance that her husband and his family members would take care of her. While being so, on the next day night itself, she has committed suicide. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also the fact that the co-accused in this case has already been released on bail by this Court on 25.05.2022, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Palladam, Tiruppur District, on condition that the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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.

-sd/-

26/05/2022

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,
PALLADAM, TIRUPPUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
PALLADAM, TIRUPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.PRAKASAM Advocate on payment of necessary charges
SR.NO. 8013

CRL OP.11570/2022

Date :26/05/2022

RW-31/05/2022