



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.12482 of 2022

1 SIKKANDAR BASHA
2 MUMTAJ BEGUM

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSEPECTOR OF POLICE,
KOVILPALAYAM POLICE STATION,
COIMBATORE DISTRICT.
CRIME NO.244 OF 2022.

[RESPONDENT]

For Petitioners : M/S.S.RAJKUMAR Advocate

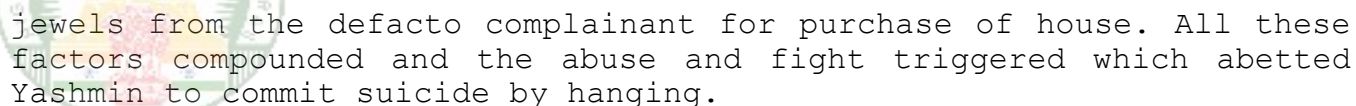
For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under Section 174 (3) Cr.P.C read with 306 of I.P.C. in Crime No.244 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner is husband and the second petitioner is mother-in-law of the deceased Yashmin. The marriage between the first petitioner and deceased had taken place on 30.08.2015 and out of their wedlock, they have a 5 years old son. Further, the second petitioner is residing at Trichy, the first petitioner and deceased were residing in Coimbatore. Ten days prior to the occurrence, there was fight and therefore, the first petitioner went to his mother's home at Trichy. Thereafter, the first petitioner came back and when the deceased requested the first petitioner to take her and the child to Ukkadam Park, initially, he agreed. Later, he picked up a quarrel and abused her. Earlier, the second petitioner constantly harassed the deceased for one reason or other. Further both the petitioners compelled the deceased to get



4. The learned Government Advocate (CrI.Side) appearing for the respondent would submit that the said Yashmin had committed suicide on 15.05.2022 and the case was initially registered under Section 174 (3) Cr.P.C. The first petitioner was living with Yashmin but the second petitioner was always insisting for more dowry and harassing her and which lead the victim to take the extreme step of committing suicide by hanging. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their 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 No.2, Coimbatore, on condition that each petitioner 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:

[b] the petitioners shall report before the respondent Police 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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,
NO.2, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSEPCTOR OF POLICE,
KOVILPALAYAM POLICE STATION,
COIMBATORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.RAJKUMAR Advocate on payment of necessary charges SR.NO.7944

CRL OP.12482/2022

Date :26/05/2022

JPA 01/06/2022