



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.12485 of 2022

1 KANNAMMAL [PETITIONERS / ACCUSED]
2 RAVEENA
3 SHARMILA DEVI
4 MAILERU @ MAILLEVU
5 POOVARASAN @ VINITH

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ANTHIYUR POLICE STATION,
ERODE DISTRICT.
(CRIME NO.166/2022)

For Petitioner : M/S.M.VIJAYA RAGAVAN Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offence under section 306 of IPC, in Crime No.166 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are the relatives of one Gurusamy. The said Gurusamy had illicit relationship with one Valarmathi, who is the mother of the deceased Sathiya. The petitioners along with one Rasathi/Al, who is the wife of said Gurusamy, had gone and questioned the Valarmathi about the affair and picked up a quarrel with Valarmathi's husband one Thavasi for which, the daughter of the Valarmathi and Thavasi had committed suicide by hanging in her house. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners had nothing to do with the act of the deceased Sathiya. The said Sathiya feeling ashamed about her mother's act, committed suicide by hanging. Hence, they pray for grant of Anticipatory Bail.



4.The learned Government Advocate (Criminal Side) appearing for the respondent submitted that due to the illicit relation ship of the deceased mother Valarmathi with Gurusamy, the first and third accused picked up a quarrel with her husband Thavasi, for which, the daughter of the Valarmathi committed suicide by hanging herself in her house.

5.Heard the submissions made by the learned Counsel appearing for the petitioners and the learned Government Advocate (crl.side) appearing for the respondent.

6. Considering the facts and circumstances of the case and also of the fact that the petitioners have nothing to do with the act of the deceased, this Court is inclined to grant anticipatory bail to the petitioners subject to imposing conditions.

7.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 II, Bhavani, on condition that each of the petitioners 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 petitions for anticipatory bail shall 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 Court concerned 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 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]; and;



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

WEB COPY

-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.II, BHAVANI.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ANTHIYUR POLICE STATION,
ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.VIJAYA RAGAVAN Advocate on payment of necessary charges SR.No.7958

CRL OP.12485/2022

Date :26/05/2022

CSK 27/05/2022