



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13022 of 2022

LAKSHMI

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE
THELLAR POLICE STATION,
THELLAR,
TIRUVANNAMALAI DISTRICT.
CRIME NO.30 OF 2022.

[RESPONDENT]

For Petitioner : M/S.B.JAWAHAR Advocate

For Respondent : MR.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 offence punishable under Section 174(3) Cr.P.C. @ into Section 306 IPC in Crime No.30 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the son of the petitioner and the daughter of the defacto complainant was solemnized in the year 2019 and they have got a 10 months old female child. While so, the petitioner and her son have harassed the daughter of the defacto complainant by demanding dowry due to which, on 24.03.2022, she committed suicide by hanging. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against her. He would further submit that the 1st accused who is the son of the petitioner was arrested and released and bail. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the petitioner is the mother-in-law of the deceased and she has been arrayed as A2. He would further submit that A1 was arrested and subsequently released on bail by this Court. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact that A1 has been arrested and subsequently, released on 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, Vandavasi, 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.

-sd/-
10/06/2022

WEB COPY

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,
VANDAVASI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE
THELLAR POLICE STATION, THELLAR,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.B.JAWAHAR Advocate on payment of necessary charges
SR.NO.8837

CRL OP.13022/2022

Date :10/06/2022

JPA 17/06/2022