



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Fourteenth day of June Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.13513 of 2022

L. VALLI

[PETITIONER / ACCUSED]

Vs

STATE REPRESENTED BY
INSPECTOR OF POLICE,
THIRUKANUR POLICE STATION,
PUDUCHERRY-605 501.
CRIME NO.70 OF 2022

[RESPONDENT]

For Petitioner : M/S.D.PRASANNA Advocate

For Respondent : Mr.V.Balamurugane Public Prosecutor for Pondicherry

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 174(3) of Cr.P.C., @ 304(B) of IPC in Crime No.70 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the due to dowry demand, the deceased has committed suicide in the matrimonial home. The petitioner is arrayed as A2, who is none other than the mother-in-law of the deceased. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner's daughter-in-law attempted to commit suicide at her mother's home and the defacto complainant lodged complaint before the Vannur Police Station and all the family members were called for enquiry and the same was closed. Against the deceased quarrelled with her husband and went to her parents home. Further the deceased had a separate house and the petitioner is living separately not along with her son. There was no dowry demand by the petitioner and she never committed any act of cruelty as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the deceased before committed suicide, had spoken to her friend and it was recorded. Subsequently, it was sent to the forensic department to verify the voice of the deceased. Insofar as the petitioner is concerned, she is living separately and not with her son. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, this Court feels that the custodial interrogation of the petitioner is not necessary in this case and therefore 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-IV, Puducherry, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related 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 daily at 10.30 a.m. for a period of four weeks and thereafter 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/-

14/06/2022

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.IV, PUDUCHERRY

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY (FOR INFORMATION)

3 INSPECTOR OF POLICE,
THIRUKANUR POLICE STATION,
PUDUCHERRY-605 501.

4 THE PUBLIC PROSECUTOR
PUDUCHERRY

CC to M/S.D.PRASANNA Advocate on payment of necessary charges
Sr.9126

CRL OP.13513/2022

Date :14/06/2022

RVR 20/06/2022