



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14565 of 2022

SHARDA DEVI @ DEVI

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
H-5 NEW WASHERMENPET STATION,
TIRUVANNAMALAI DISTRICT.
(CR.NO.32/2021)

For Petitioner : M/S.M.MOHAMED RIYAS Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

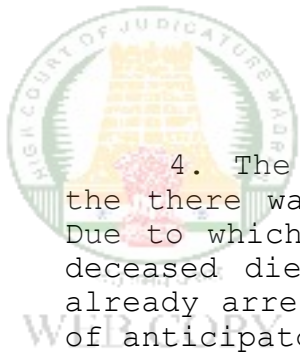
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 Cr.P.C later altered into Section 304 (b) of IPC , in Crime No.32 of 2021, seeks anticipatory bail.

2. The defacto complainant lodged a complaint before the respondent police stated that there was a fire accident occurred in his neighbour's house, due to which the deceased died on spot. Then, the respondent police registered a FIR under Section 174 of Cr.P.C later altered into Section 304(b) of IPC.

3.The learned counsel for the petitioner would submit that the petitioner is arrayed as A2 who is wife of A1. Further he submitted that the petitioner is innocent person she is no way connected with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that there was quarrel between the accused persons and the deceased. Due to which the accused persons set fire to the deceased house and deceased died on spot. He further submitted that the first accused already arrested and released on bail. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also the fact that the co-accused 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **XV Metropolitan Magistrate George Town, Chennai**, 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 daily at 10.30 a.m. for a period of two 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/-

24/06/2022

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 METROPOLITAN MAGISTRATE,
NO.XV, GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
H-5 NEW WASHERMENPET STATION,
TIRUVANNAMALAI DISTRICT.

+1 CC to M/S.M.MOHAMED RIYAS Advocate on payment of necessary charges SR.NO.9903

CRL OP.14565/2022

Date :24/06/2022

TA-30/06/2022