



Crl.O.P.No.16912 of 2022

Crl.O.P.No.16912 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Section 174 Cr.P.C @ Section 306 of IPC, in Crime No.182 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the sister-in-law of the deceased. Due to money dispute, there was a wordy quarrel between the deceased and the petitioner. Thereafter, the deceased committed suicide by hanging in her matrimonial home. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.16912 of 2022

WEB COPY

4. The learned Additional Public Prosecutor would submit that there are totally 2 accused in which the petitioner is arrayed as A2. The petitioner is the sister-in-law of the deceased. When the deceased went to ask for compensation of her husband's death, there was a wordy quarrel between the petitioner and the deceased and the deceased committed suicide by hanging in her matrimonial home. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that there are totally 2 accused in which the petitioner is arrayed as A2. Even according to the case of the prosecution, the petitioner is living with her husband in another place and the deceased was living with her mother-in-law namely the first accused, in another place at Villupuram where she committed suicide by hanging. There was a dispute between the petitioner and the deceased in respect of claiming compensation for the death of deceased husband.

6. Considering the above fact and circumstances of the case, the custodial interrogation of the petitioner does not require in this case.



Crl.O.P.No.16912 of 2022

Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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, Thirukkivilur, 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.



Crl.O.P.No.16912 of 2022

G.K.ILANTHIRAIYAN, J.

mn

[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.

20.07.2022

mn

Crl.O.P.No.16912 of 2022