



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.25901 of 2021

Parimala

... Petitioner

Versus

State represented by
The Station House Officer,
Karaikal Town Police Station,
Karaikal.
(Crime No.186 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of arrest by the respondent police concerned in Crime No.186 of 2021 on the file of the respondent.

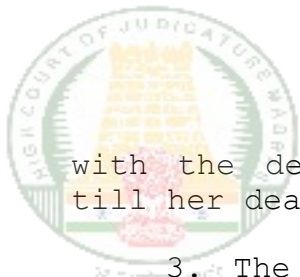
For Petitioner : Mr.R.Sreedhar

For Respondent : Mr.V.Balamurugane
Additional Public Prosecutor (P)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 306, 304B of IPC in Crime No.186 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint against the petitioner and her family that they had harassed the defacto complainant's daughter and bet her several times before her death. The defacto complainant's daughter was unhappy even after the marriage as her parents did not accept the marriage and so she was not able to go her parent's home and their parents did not come to the petitioner's brother's house. Due to the personal vengeance with this petitioner, the defacto complainant has falsely stated to the respondent police that the petitioner along with her mother and brother tortured the defacto complainant which is totally false. The defacto complainant's daughter had a habit of picking quarrels for pity issues with the petitioner's brother even though it was a love marriage as she was in dismay as her parents did not talk with her. The petitioner got married to one Santhosh Martin and is living happily with her husband in Chennai and she is not living in Karaikal and submits that there was no active relationship



with the defacto complainant's daughter from the date of marriage till her death. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that A1, A2 already released on bail. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate - II Court, Karaikal, 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 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 requires for interrogation and co-operate for investigation;

(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]; and;



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

-sd/-

03/01/2022

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, KARAIKAL

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY (FOR INFORMATION)

3 THE STATION HOUSE OFFICER,
KARAIKAL TOWN POLICE STATION,
KARAIKAL.

4 THE PUBLIC PROSECUTOR
PUDUCHERRY

CC to R.SREEDHAR Advocate on payment of necessary charges Sr.36

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Date :03/01/2022

RVR 05/01/2022