



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN
CRL OP(MD). No.1982 of 2022

WEB COPY

1. Ponnusamy
2. Banumathi

... Petitioners/Accused No.2, 3

Vs

State Rep.by
The Inspector of Police,
Gandharavakottai North Police Station,
Pudukkottai District.
(Crime No.768 of 2021).

... Respondent/Complainant

For Petitioners : M/s.Banumathy.A.,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For an Anticipatory Bail in Crime No.768 of 2021 on the file of the respondent police.

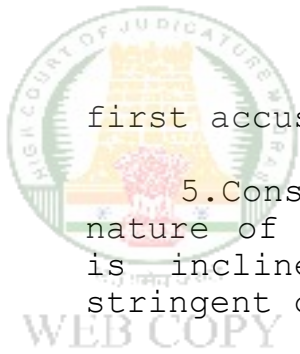
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 306 of IPC, in Crime No.768 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate(Crl.Side) appearing for the respondent.

3.After reading of the dying declaration, it appears that the deceased had an affair with first accused for the past six years. The deceased gave Rs.7 lakhs in three installments to the first accused. When the deceased asked to return back her money, trouble arose between them. Thereafter, the deceased committed suicide by setting fire herself in the presence of the petitioners.

4.The specific allegation as against the petitioners that they also present in the occurrence place and they did not make any attempt to prevent or secure or save the deceased. The learned counsel for the petitioners submitted that in the dying declaration, there is no specific allegations are made against the petitioners and it only says with regard to the some other issue between the



first accused and the deceased.

5.Considering the facts and circumstances of the case and the nature of allegation levelled against this petitioners, this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate Court, Gandharvakottai, and on their executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only)each, with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

03/02/2022

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE, GANDHARVAKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, GANDHARAVAKOTTAI NORTH POLICE STATION, PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.1982 of 2022

Date :03/02/2022