



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/05/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD).No.6125 of 2022

1.Boomi @ Boominathan @ Boomiraja
2.Veeramani
3.Ayyanan
4.Bhaskaran
5.Panchavarnam

... Petitioners/Accused Nos.1 to 5

Vs.

State Represented by
The Inspector of Police,
Keelavalavu Police Station,
Keelavalavu,
Madurai District.
Cr.No.77 of 2022.

... Respondent/Complainant

For Petitioner : M/s.K.ARUNRAJ
Advocate.

For Respondent : Mr.B.THANGA ARAVINDH
Government Advocate (Crl.side)

For Intervenor : No Appearance

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

PRAYER :- For Anticipatory Bail in Crime No.77 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners herein are implicated for the offences under Sections 174 of Cr.P.C. @ Under Section 306 of IPC, in Crime No.77 of 2022, on the file of the respondent police, seek anticipatory bail.



2.The first petitioner herein is alleged of having illicit relationship with the deceased. The second petitioner is the father of the first petitioner.

3.According to the learned counsel for the petitioners, the overt act as against the petitioners 3 to 5 are concerned is that they had advised the deceased to return to her original husband and live with her family members.

4.Since these averments may not be directly attributed to the cause of suicide, this Court is inclined to grant bail to the petitioners 3 to 5 herein. The first petitioner, being the husband of the deceased and the second petitioner, being the father of the first petitioner, may be considered at the later point of time.

5.In the light of the above observations, the petitioners 3 to 5 are granted anticipatory bail and the petitioners 1 and 2 are concerned, this petition is dismissed.

6.Accordingly, the petitioners 3 to 5 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, on condition that the petitioners 3 to 5 shall execute a bond for a sum of **Rs.25,000/-(Rupees Twenty Five Thousand only)** each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners 3 to 5 and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners 3 to 5 shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.

[c]the petitioners 3 to 5 shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners 3 to 5 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 petitioners 3 to 5 in accordance with law as if the conditions have been imposed and the petitioners 3 to 5 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]**.



7. Consequently, connected miscellaneous petition stands closed.

sd/-
06/05/2022

/ TRUE COPY /

WEB COPY

/ /2022

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
MELUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KEELAVALAVU POLICE STATION,
KEELAVALAVU,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.6125 of 2022
Date : 06/05/2022

SA/PN/SAR.4/09.05.2022/3P/5C