



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Dated: 04/07/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.6391 of 2022

WEB COPY

1.Kamala

2.Thavamani

: Petitioners/Accused Nos.2&3

Vs.

The State:

Rep. By Inspector of Police,

Karaiyur Police Station,

Pudukottai District.

(Crime No.46 of 2022)

: Respondent/Complainant

For Petitioner

: Mr.R.Anand

For Respondent

: Mr.P.Kottaichamy

Government Advocate

(Criminal side)

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

PRAYER:-

For Anticipatory Bail in Crime No.46 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners, who are arrayed as A2 and A3 apprehending arrest at the hands of the respondent police for the offences punishable under section 174(3) Cr.P.C @ 306 IPC, in Crime No.46 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution in brief:-

The de-facto complainant's daughter by name Mariammal was married to Elayaraja in the year 2020. At that time, she was provided with sufficient jewels, two wheeler and household articles, etc, apart from Rs.1,00,000/- towards expenses of the marriage. Not satisfied with the above said dowry, the said Elayaraja ill-treating and harassing his daughter, in which, the sister of the above said Elayaraja also joined. Several round of compromise talks were undertaken between the parties. On 23/03/2022, the deceased came to his house and informed him about the ill-treatment. On 24/03/2022 at about 10.00 am, he was informed that she died. On seeing the dead body, it was found that injuries were found. Elayaraja was having illicit intimacy with one Kamala, over which also the above said Elayaraja harassed the deceased. With these allegations, a complaint has been lodged by the de-facto complainant.



3. Seeking anticipatory bail, this petition came to be by the petitioners, who are the alleged sister- in-law and the first petitioner, who is the woman with whom Al Elayaraja said to have illicit intimacy.

4. Heard both sides.

5. The entire CD file has been called for and perused. The first accused appeared before the enquiry officer and gave a statement to the effect that the first petitioner is his brother's wife and the 2nd petitioner is the sister. Trouble arose between himself and his wife, when his wife was found talking with some other person with mobile phone. When the mobile phone was inspected, it was found that one unknown number was saved as 'brother'. When that was enquired by him and others, trouble has arisen. During that time, out of angry, she suddenly scolded go and die. She committed suicide only because of the above said issue.

6. Now the learned counsel appearing for the petitioners would submit that it is a matrimonial dispute between the husband and wife and these petitioners are no way connected in the matrimonial issue between the husband and wife.

7. Postmortem report shows that because of the hanging, death occurred. The de-facto complainant suspected that the deceased was assaulted, murdered and hanged as if she committed suicide. But the postmortem report reveals that the death occurred due to hanging only.

8. Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Iluppur, Pudukkottai District and on each of them executing 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 learned Judicial Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioners shall appear before the concerned Judge within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

04/07/2022

/ TRUE COPY /

06/07/2022

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, 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.

WEB COPY

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

+1. CC to M/S.ANAND.R Advocate SR.No.6587

ORDER
IN
CRL OP(MD) No.6391 of 2022
Date :04/07/2022

ER
RK/SVR/SAR-II/06.07.2022 : 3P/6C