



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

Date : 10/06/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.9674 of 2022

1. Anthoniammal,

2. Selvi Rosevin Marry, ... Petitioners/Accused 4 & 5

Vs

State Rep by
The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District
Crime.No. 31/2022.

... Respondent/Complainant

For Petitioner : M/s.Prabu M,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 31 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A4 & A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 174 (3) of Cr.P.C @ 306 IPC, in Crime No.31 of 2021, seek anticipatory bail.

2.The case of the prosecution is that due to the harassment and inducement made by the petitioners and other accused, the deceased committed suicide by falling down into a deep well. Therefore, the case to be registered against the petitioners herein.



3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that A2 and A3 were already arrested and released on bail by this Court.

4.The learned Government Advocate(Crl.Side) would submit that the investigation has been completed and the charge sheet has already been laid and the same was not taken on file and that A1 is still in judicial custody. He would further submit that the petitioners are the mother-in-law and sister-in-law of the deceased and that there is no previous case pending against them.

5.Considering the nature of the charges levelled against the petitioners and also the facts that the investigation has been completed and the charge sheet has already been laid and that the petitioners are not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.II, Kovilpatti, Thoothukudi District, on condition that the petitioners 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

a)the petitioners 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 petitioners shall report before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation.

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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 in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

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/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. The Judicial Magistrate Court No.II,
Kovilpatti, Thoothukudi District.
2. Do-Through The Chief Judicial Magistrate,
Tuticorin District.
3. The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.PRABU M, Advocate (SR-5399[I] dated 10/06/2022)

ORDER
IN
CRL OP(MD) No.9674 of 2022
Date : 10/06/2022

TR/SKN/SAR-III(16.06.2022) 3P 6C