



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/07/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11563 of 2022

1. Anthonyselvi

2. Mariyamuthu

... Petitioners/Accused Nos.2 & 3

Vs

The State rep.by
The Sub Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
Crime.No. 204 of 2022.

... Respondent/Complainant

For Petitioners: M/s.GANESHAMOORTHY.A.D,
Advocate.

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

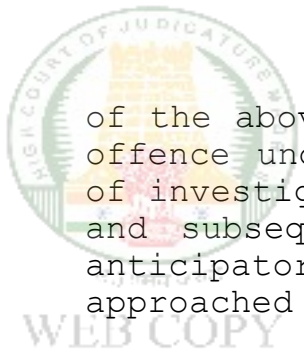
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.204 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused No.2 & 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 306 I.P.C., in Crime No.204 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's brother's wife by name Ramalakshmi was working as noon meal organizer in the Panchayat Elementary School, Irataikinaru. She was also cultivating her land in Nedungulam Village. One High Court Raja and his wife namely, Selvi, the parents of the above said Selvi had done labour work in her field. So, they were having money transaction between them. When Ramalakshmi demanded back the amount, which was lent as loan, the above said Raja, along with his family members trespassed into the house of the above said Ramalakshmi and abused her in filthy language and tried to assault her. When that was prevented by Rasammal, who is the mother of the Ramalakshmi, she has sustained injury. They also defamed Ramalakshmi. Because of the above said defamatory words, Ramalakshmi was under depression. On the very same day evening, she went missing from her house. Later, she was found in unconscious stage in her field and she was taken to hospital. In spite of treatment, she died on 04.06.2022. On the basis



of the above said complaint, a case in Crime No.204 of 2022¹ the offence under Section 174 Cr.P.C was registered. During the course of investigation, the involvement of the accused person came to know and subsequently, the offence was altered into 306 IPC. Seeking anticipatory bail, the petitioner, who are accused No.2 & 3 approached this Court.

3.The allegation against these petitioners as per the First Information Report is that the first petitioner is the wife of the first accused namely, High Court Raja and the second accused is the mother of the first petitioner. According to the learned counsel for the petitioners, they are no way involved in the occurrence. Even as per the allegation made in the First Information Report, their involvement is not mentioned.

4.But, reading of the FIR shows that specific allegation against the first petitioner with regard to the defamatory abused language that was used by her against the deceased. But, Insofar as the second petitioner is concerned, no specific overt act has been made.

5.The first petitioner has created a circumstance, which drove the deceased to commit suicide is a matter for investigation and trial.

6.When there is a specific allegation against the first petitioner, she is not entitled for anticipatory bail. Hence, this petition is dismissed insofar as the first petitioner is concerned. Insofar as the second petitioner is concerned, since no specific allegation has been made, this Court is inclined to grant anticipatory bail to the second petitioner is concerned with certain conditions.

7. Accordingly, this Criminal Original Petition is partly allowed and the second petitioner is ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Sathankulam, on condition that the second 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 learned Magistrate concerned and the second petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The second petitioner shall appear before the concerned Magistrate 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

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/07/2022

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



TO

1 THE JUDICIAL MAGISTRATE
SATHANKULAM.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.GANESHAMOORTHY.A.D., Advocate SR.No.6634

ORDER

IN

CRL OP(MD) No.11563 of 2022

Date :04/07/2022

SA/VR/SAR.4/06.07.2022/3P/6C