



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/06/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD).No.11717 of 2022

Kalai Selvi

... Petitioner/3rd Accused

Vs.

The State Rep. by its,
The Inspector of Police,
All Women Police Station,
Thallakulam Police Station,
Madurai City.
(Crime No.32 of 2022)

... Respondent/Complainant

For Petitioner : Mr.M.S.Jeyakarthik, Advocate.

For Respondent : Mr.M.Vaikam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.32 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) and 406 of IPC, in Crime No.32 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the defacto complainant and her husband was solemnized on 25.06.2009 and out of wedlock, they blessed with two children. Due to matrimonial dispute, the petitioner and other accused persons harassed the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the defacto complainant lodged the present complainant with an intention to prevent the petitioner and her sister from claiming their share from the ancestral properties. He further submitted that the marriage between the defacto complainant and her husband in the year 2000 and the marriage between the defacto complainant and her husband in the year 2009. After marriage, they have been living separately. Hence, the petitioner has no way connected with alleged crime.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the jewels about 20 sovereigns is in the hands of the mother-in-law and she is also ready to return the same.

5.Considering the facts and circumstances of the case and also the fact that the petitioner has been not living in her matrimonial home since 2000 and the jewels are available only in the hands of mother-in-law, this Court is inclined to grant bail to the petitioner, however, with stringent conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.2, Madurai, and on his 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 Magistrate concerned; and the petitioners shall appear before the respondent police once in a month i.e., on first Monday of every English Calender Month at 10.30 a.m., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner 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/-
30/06/2022

/ TRUE COPY /

/07/2022

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

TO

1. THE JUDICIAL MAGISTRATE NO.2, MADURAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THALLAKULAM POLICE STATION,
MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-6444[I] dated
01/07/2022)

ORDER
IN
CRL OP(MD) No.11717 of 2022
Date :30/06/2022

VSD

<https://hcservices.mys.gov.in/Services/Download/Download.aspx?FileID=107.2022/2P/6C>