



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 03/08/2022

PRESENT

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

Crl.OP(MD)No.13611 of 2022

1.Karuppayee

2.Duraichamy

: Petitioners/A5 and A6

Vs.

The State:

Represented by Inspector of Police,

Usilampatty Taluk Police Station,

Madurai District.

(Crime No.121 of 2022)

: Respondent/Complainant

For Petitioners

: Mr.C.Susi Kumar, Advocate

For Respondent

: Mr.B.Thanga Aravindh
Government Advocate
(Criminal side)

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

PRAYER:-

For Anticipatory Bail in Crime No.121 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners, who are arrayed as A5 and A6 apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 294(b) and 306 IPC, in Crime No.121 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution in brief:-

The de-facto complainant lodged a complaint stating there was a dispute between her husband and the brother of her husband over construction of a house. The brother of her husband namely Dhavamani has constructed a house in a separate property. The de-facto complainant and her husband by demolishing the ancestral house put up a new construction. At that time, all the accused persons picked up quarrel and prevented them from putting up the construction and also scolded her husband to consume poison and die. Over the above



said, the deceased, who is the husband of the de-facto co-wife, it lodged a complaint on 20/07/2022. When the complaint was under investigation, on 21/07/2022 at about 6.00 pm, again the accused persons picked up quarrel and abused them and asked the deceased to commit suicide by taking poison. Unable to bear the humiliation and frustration, the deceased consumed poison at about 9.30 pm. On the next day he died. Over which, the present case has been registered.

3. Seeking anticipatory bail, A5 and A6, who are the sister and relative of the deceased have filed this petition.

4. Heard both sides.

5. The main issue is between two brothers. In the above said issue, how the involvement of the petitioners, who are only the sister and sister's husband is not known. Even in the FIR, no specific allegation has been stated against the petitioners, except stating vaguely that these petitioners are also joined hands with the above Thavamani in making trouble and abused the deceased.

6. Considering the improbability of the allegation against the petitioners, 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 No.1, Usilampatty 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 as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioners 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 petitions for anticipatory bail stands dismissed.

sd/-

03/08/2022

/ TRUE COPY /

/08/2022

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.

<https://www.mhc.gov.in/>



TO

1 THE JUDICIAL MAGISTRATE NO.I
USILAMPATTY.

WEB COPY

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE INSPECTOR OF POLICE
USILAPATTY TALUK POLICE STATION, MADURAI DISTRICT.

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

+1. CC to M/S.SUSI KUMAR C Advocate SR.No.8218

ORDER

IN

CRL OP(MD) No.13611 of 2022

Date :03/08/2022

SS/VR/SAR-I/10/08/2022/ 3P 6C