



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.14537 of 2022

Santhanamary

... Petitioner/2nd Accused

Vs

The State rep.by,
The Inspector of Police,
Sawyerpuram Police Station,
Thoothukudi District.
(Crime No.82/2022)

... Respondent/Complainant

For Petitioner : Mr.C.Mayilvahana Rajendran, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

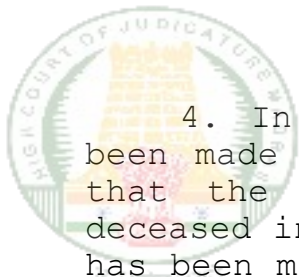
PRAYER :-For Anticipatory Bail in Crime No.82/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 306 of IPC, in Crime No.82 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 04.07.2022 at about 06.30 p.m., the deceased informed the defacto complainant that on previous date, the first accused and his wife, abused the deceased in filthy language and also assaulted him, for which, he consumed poison and died. Based upon the above said information, a case has been registered under Section 306 of IPC against the two accused. The first accused was arrested and this petitioner is the wife of the first accused.

3. Heard, the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent



4. In the First Information Report a specific allegation has been made against the petitioner. On perusal of CD file, it shows that the petitioner along with the first accused abused the deceased in filthy language in a public place and whereas an assault has been made by the first accused and the same was informed to the defacto complainant and thereafter, she made an enquiry and also searched the first accused. In the mean time, the deceased committed suicide by consuming poison, over which, the petitioner has been arrayed as a second accused.

5. Even though, there is a specific allegation has been made against this petitioner that he abused the deceased in filthy language along with the First accused but during the course of investigation, the defacto complainant has not made any allegation against the present petitioner.

6. Considering the facts and the circumstances of this case and the limited role that has been alleged played by this petitioner, this Court is inclined to grant bail to the petitioner, however, with stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.II, Thoothukudi, 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 petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

8. 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/-

12/08/2022

/ 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.



TO

1 THE JUDICIAL MAGISTRATE NO.II,
THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE
SAWYERPURAM POLICE STATION, THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-8548[I] dated
16/08/2022)

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-8547[I] dated
16/08/2022)

ORDER

IN

CRL OP(MD) No.14537 of 2022

Date :12/08/2022

TTA

MK/VR/SAR.II/29.08.2022/2P/7C