



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/11/2022
PRESENT

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The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.17999 of 2022

1. Asai,
2. Mangayarkarasi,
3. Backiyam,
4. Dhanam @ Dhanalakshmi,
5. Gopika, ... Petitioners/Accused Nos.2 to 6

Vs

The State rep.by
The Inspector of Police,
Natham Police Station,
Dindigul District.
(Crime No.308/2022).

... Respondent/Complainant

For Petitioner : M/s.Ragaventhre S,
Advocate.

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

For intervenor : No Appearance

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

PRAYER :- For Anticipatory Bail in Crime No.308/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 to A6, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 174(3) of Cr.P.C @ into Section 306 IPC, in Crime No.308 of 2022, seek anticipatory bail.

2.The case of the prosecution is that A1 and the de-facto complainant's daughter/deceased are husband and wife and they are not having any child, over which, dispute arose between them. Since all the accused persons harassed the deceased, she committed suicide. Hence, the complaint.



3.The learned counsel for the petitioners would submit that this is the petitioners' second anticipatory bail application and the earlier application was dismissed by this Court, dated 23.09.2022 in Crl.O.P.(MD)No.16663 of 2022. He would further submit that the petitioners are in-laws of the de-facto complainant and they are innocents and they have not committed any offence as alleged by the prosecution and A1 was already arrested and released on bail. He would further submit that the petitioners are ready to give the sridhana articles to the de-facto complainant. He would further submit that the first petitioner also registered a case in Crime No.309 of 2022 against the de-facto complainant and his relatives. Hence, he prays for anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that the petitioners are in-laws of the de-facto complainant. The deceased committed suicide due to the harassment of the accused persons. He would further submit that nine witnesses have been examined and the investigation is still pending. He would further submit that the petitioners' earlier application was dismissed by this Court, dated 23.09.2022 in Crl.O.P.(MD)No.16663 of 2022. Hence, he strongly opposed to grant anticipatory bail.

5.Considering the facts and circumstances of the case and also considering the facts that A1 was already released on bail and nine witnesses have already been examined, 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, Natham, Dindigul District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

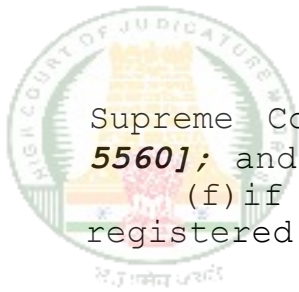
(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 am until further orders.

(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 Magistrate/Trial Court himself as laid down by the Hon'ble



Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) 5560J]**; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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

TO

- 1 THE JUDICIAL MAGISTRATE,
NATHAM, DINDIGUL DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.RAGAVENTHRE S Advocate SR.No.12887

ORDER

IN

CRL OP(MD) No.17999 of 2022

Date :11/11/2022

sjj

SA/VR/SAR.2/17.11.2022/3P/6C