



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4918 of 2023

Kalaiyarasi, ... Petitioner/Sole Accused

Vs

THE STATE REP BY

The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.

(Crime No.96/2023). ... Respondent/Complainant

For Petitioner : M/s.Suri M,
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.96 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

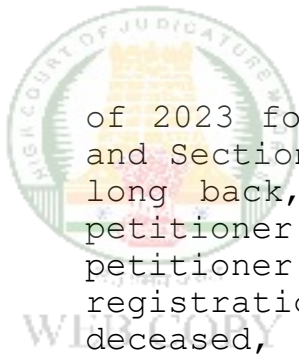
The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 306 and 116 of I.P.C., in Crime No.96 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to property between the deceased Kaliyamoorthi and his daughter-in-law Kalaiyarasi, the petitioner herein, the petitioner induced her father-in-law stating that he died. Due to which, the said Kaliyamoorthi had consumed poison and thereafter, he died. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.It is seen that the petitioner had already lodged a complaint on 15/03/2023 on the file of the deceased and the same was registered in Crime No.95 of 2023 on the file of the deceased.

<https://www.mhraj.in/sdts>



of 2023 for the offences under Sections 294(b), 323 and 504 of the Indian Penal Code and Section 4 of Woman Harassment Act. The petitioner's husband died long back, as such, there was some property dispute between the petitioner and the deceased. There is no evidence to show that the petitioner abetted the deceased to commit suicide. Due to the registration of the FIR in crime No.95 of 2023 as against the deceased, he got humiliated and committed suicide by consuming poison.

5.Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Thiruvidadaimaruthur, on condition that the 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



CRL OP(MD)



23

[f] If the accused thereafter absconds, a fresh FI registered under Section 229A IPC.

sd/-
15/03/2023

WEB COPY

/ TRUE COPY /

/03/2022

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

TO

1. The District Munsif cum Judicial Magistrate,
Thiruvidaimaruthur.
 2. Do-Through The Chief Judicial Magistrate,
Thanjore District.
 3. The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.M.SURI, Advocate (SR-4281[I] dated 15/03/2023)

ORDER
IN
CRL OP(MD) No.4918 of 2023
Date :15/03/2023

KB/CS/S3(27.03.2023) 3P 6C