

10.07.2024
SL No.25
Court No.29
TN
(Allowed)

CRM (A) 2294 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Mohanpur Police Station Case No. 263 of 2022 dated 15.09.2022 under Sections 498A/304B/302/34 of the Indian Penal Code read with Sections 3 & 4 of the Dowry Prohibition Act.

And

In the matter of : **Madhuri Pandit.**

- petitioner.

Mr. Pravas Bhattacharya

....for the petitioner.

Ms. Minoti Gomes,
Mr. Karan Bapuli

... for the State.

1. The petitioner is the mother-in-law. It is submitted that she has been falsely implicated. The elder brother-in-law was granted bail and the married sister-in-law was released on anticipatory bail.
2. The learned Counsel for the State has referred to the statement of the neighbours to show that the victim was physically and mentally tortured. The husband is absconding. The Investigating Officer is taking steps for execution of warrant of arrest in default proclamation and attachment.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and the fact that other two family members released on bail and charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Madhuri Pandit** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall cooperate with the investigation.
5. It is further directed that the present accused petitioner shall appear before the learned Trial Court within two weeks from date and pray for regular bail.
6. It is further directed that the petitioner shall appear each and every date of hearing before the Trial Court on and from the date fixed for appearance of the accused and in default the Trial Court will pass appropriate order to secure presence of the petitioner in court including cancelling the anticipatory bail granted without further reference to this court.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)