



Crl.O.P.No.6262 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 174 (iii) of Cr.P.C., subsequently altered into 306 of IPC. in Crime No.428 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioners along with other accused persons have harassed the sister of the defacto complainant, due to which, the sister of the defacto complainant has committed suicide by hanging. Based on the complaint given by the brother of the deceased, the case was registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the 1st petitioner is the mother-in-law, 2nd petitioner is the sister-in-law of the deceased. He further submitted that A1 and A2 have already been released on bail by the Court below. He further



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submitted that there is no previous case pending as against the petitioners.

Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners along with other accused persons have harassed the deceased, due to which, the deceased has committed suicide by hanging. He further submitted that the investigation is almost completed. However, he opposed for grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the petitioners have involved in serious offence, this Court is not inclined to grant anticipatory bail to the 2nd petitioner. Therefore, this Criminal Original Petition is dismissed as against the 2nd Petitioner. Hence, considering the age of the 1st petitioner, this Court is inclined to grant anticipatory bail to the 1st petitioner with certain conditions.



6. Accordingly, the 1st 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 is made ready, before **the Judicial Magistrate No.II, Mathuranthagam**, on condition that the 1st 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 1st 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 1st petitioner shall report before the respondent police as and when required for interrogation.

[c] the 1st petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the 1st 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



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action against the 1st petitioner in accordance with law as if the conditions have been imposed and the 1st 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

03.04.2024

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