



CRL OP(MD) No.1076 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1076 of 2024

1 SEKAR

2 POORANAM

... PETITIONERS / ACCUSED No.2 & 3
Vs

THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION,
MADURAI CITY.
CR.NO.523/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.AROKIYA SELVA.S Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CR.NO.523/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/ A2 & A3, who apprehend arrest at the hands of the respondent
police for the alleged offence under Section 174(3) of Cr.P.C altered into Section 306
of IPC, in Crime No.523 of 2023, seeks anticipatory bail.



CRL OP(MD) No.1076 of 2024

WEB COPY

2.The case of the prosecution is that the defacto complainant is the father of the deceased. A1 and the deceased are the husband and wife. The petitioners are the parents of A1. The marriage between A1 and the deceased was solemnized on 23.05.2021. After marriage, A1 went to Dubai for his employment and used to send money to the deceased. When A1 questioned about the money that was sent by him, there was dispute between A1 and the deceased. Thereafter, A1 returned back to India and called the deceased to his village. When the same was refused by her. Subsequently, A1 harassed the deceased through phone by demanding the amount that he sent. Due to the harassment, the deceased committed suicide by hanging herself. Hence, the defacto complainant lodged a complaint before the Law Enforcing Agency. Initially the case was registered for the offence under Section 174 (3) of Cr.P.C and subsequently, it was altered into Section 306 of IPC.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that it is a matrimonial dispute only between A1 and the deceased. The petitioners are the only in-laws of the deceased and they are no-way connected in any of the offence. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State



CRL OP(MD) No.1076 of 2024

submitted that due the harassment made by A1, the deceased committed suicide by hanging herself. It is a matrimonial dispute between A1 and the deceased. The investigation is pending.

5. Considering the facts and circumstances of the case and also considering the facts that it is a matrimonial dispute between A1 and the deceased, the petitioners herein are only in-laws of the deceased and there is no serious allegation against the petitioners, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.VI, Madurai**, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the



CRL OP(MD) No.1076 of 2024

surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m, for a period of 2 weeks and thereafter as when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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 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]*; and;

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

sd/-
24/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



CRL OP(MD) No.1076 of 2024

TO

WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION, MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.AROKIA SELVA RAMESH, Advocate (SR-1027[I] dated 24/01/2024)

ORDER

IN

CRL OP(MD) No.1076 of 2024

Date :24/01/2024

SS/JGB/SAR- /30/01/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023