



CRL OP(MD) No.3762 of 2024

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

Friday, the Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3762 of 2024

1 USHA

2 VIJAYATHANDAPANI

3 NAVANEETHAKRISHNAN ... PETITIONERS/ ACCUSED NO.1,2&3

Vs

THE INSPECTOR OF POLICE
KODALPUDUR POLICE STATION,
MADURAI DISTRICT.
CR.NO.113/2024

... 1ST RESPONDENT/ COMPLAINANT

For Petitioners : MR.JEEVA A.B. Advocate

For Respondent : MR.S.MANIKANDAN, Govt. Advocate (CrI. Side)

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

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO.113/2024 ON THE FILE OF
THE RESPONDENT POLICE.



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ORDER : The Court Made the following order :-

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The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 120(B), 294(b) and 506(ii) of IPC, in Cr.No.113 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the wife and the second petitioner is the mother-in-law of the defacto complainant and the third petitioner is the paramour of the first petitioner and all the accused planned to commit murder of the defacto complainant. Thereby, the respondent police registered a criminal case against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution and the third petitioner is a friend of A1. However, the defacto complainant consumed alcohol and had illegal intimacy with several ladies and the same was objected by the first petitioner and even then the defacto complainant misbehaved with his own children and hence, they prayed for anticipatory bail.

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

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submit that the third petitioner is the paramour of the first petitioner and the first petitioner is none other than the wife of the defacto complainant and all the accused planned to commit the murder of the defacto complainant. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts that the first and second petitioners are wife and mother-in-law of the defacto complainant and the third petitioner is allegedly the paramour of the first petitioner and also considering the fact that the allegation levelled against the third petitioner is a serious one, this Court is not inclined to grant anticipatory bail to the third petitioner.

6.Considering the facts and circumstances of the case and also considering the allegations levelled against the petitioners 1 and 2, this Court is inclined to grant anticipatory bail to the petitioners 1 and 2.

7.Accordingly, this Criminal Original Petition is partly allowed and the petitioners 1 and 2 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.IV, Madurai District, on condition that the petitioners 1 and 2 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



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intends to arrest or to the satisfaction of the learned Magistrate concerned and on
further condition that:

(a) if the petitioners 1 and 2 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 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 1 and 2 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;

(e).the petitioners 1 and 2 shall not tamper with evidence or witness either during investigation or trial;

(f).the petitioners 1 and 2 shall not abscond either during investigation or trial;

(g).on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 1 and 2 in accordance with law as if the conditions have been imposed and the petitioners 1 and 2 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;



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

8.Insofar as the third petitioner is concerned, this petition is dismissed.

sd/-
08/03/2024

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/03/2024

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

sjj

TO

1.THE JUDICIAL MAGISTRATE NO.IV, MADURAI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3.THE INSPECTOR OF POLICE
KODALPUDUR POLICE STATION, MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.3762 of 2024

Date :08/03/2024

RK/JGB (14/03/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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