



CRL OP(MD) No.4181 of 2024

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

Monday, the Eighteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4181 of 2024

HEMALATHA

... Petitioner / Accused No.3

Vs

THE INSPECTOR OF POLICE
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.116 OF 2024.)

... Respondent / Complainant

For Petitioner : M/s.A.Sivasubramanian, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.116 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police
for the alleged offence under Section 302 IPC in Crime No.116 of 2024, seeks
anticipatory bail.



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2.The case of the prosecution is that the petitioner is the sister of the deceased and due to property dispute, on 26.02.2024, the petitioner, her husband and her son joined together and attacked the deceased and committed the murder. Hence this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and she has been falsely implicated in this case. He would further submit that admittedly, on 27.02.2024, the deceased was found dead in his home in suspicious manner and the deceased was alcoholic and he used to come to the petitioner's home in drunken mood and frequently quarrel with the petitioner and her family members. The petitioner is nothing to do with the alleged offence and based on the confession statement made by A1, she was falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the petitioner's husband and son were arrested and remanded to judicial custody. If the petitioner is enlarged on anticipatory bail, it will affect the completion of investigation. Hence, he prays for dismissal of this petition.

5.Admittedly, the deceased was found dead in his home in suspicious manner. However, he was alcoholic and he used to come to home in drunken mood



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and frequently quarrel with his family members. On suspicion, the present complaint has been lodged and based on the confession statement of A1, the petitioner was implicated in this case. Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and she 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvaiyaru, 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 and on further condition that:

(a) if the petitioner 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;



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(c)the petitioner shall report before the Inspector of Police, All Women Police Station, Thiruvaiyaru, daily at 10.30 a.m., until further orders;

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

(e)the petitioner 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 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]; and;

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

sd/-
18/03/2024

/ TRUE COPY /

27/03/2024
Sub-Assistant Registrar (Liasoning)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB



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To

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1.The Judicial Magistrate,
Thiruvaiyaru.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Inspector of Police,
All Women Police Station,
Thiruvaiyaru.

ORDER

IN

CRL OP(MD) No.4181 of 2024

Date :18/03/2024

ED/ JGB /SAR- (01/04/2024) 5P / 6C

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