



CRL OP(MD).No.5874 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Guruvammal

... Petitioner/ A-2

Versus

State represented by
The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
Crime No.142 of 2024

... Respondent/Complainant

For Petitioner : Mr.R.J.Karthick, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.142 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.142 of 2024, for the offence punishable under Section 174 of Criminal Procedure Code, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is the daughter of the deceased. A-2 is the wife of the deceased. A-2 is said to have harassed the deceased. Based on which, the deceased has lodged a complainant before the Respondent Police. But the respondent Police has not acted upon the complaint. Due to the inaction of the respondent Police, the deceased had committed suicide. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner has no previous case pending against her.



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5. Considering the facts and circumstances of the case and also considering the antecedent of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, and this Court is directing the concerned Superintendent of Police to look into the issue and find out if there is any slackness in acting upon the complaint of the deceased. If any slackness and dereliction of duty is found out on the part of the officer who handled the complaint of the deceased, necessary action has to be initiated against the Officer concerned. Registry is directed to mark a copy to the Superintendent of Police, concerned.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of her 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 Court, Rajapalayam on condition that

(i) the petitioner execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Rajapalayam.

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in



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proof of their residence address;

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(iii) The petitioner shall appear before the respondent police as and when required for interrogation. She has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to her by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
17/04/2024

/ TRUE COPY /

/04/2024

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

jbr

TO

1. THE JUDICIAL MAGISTRATE ,
RAJAPALAYAM.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3. THE INSPECTOR OF POLICE,
RAJAPALAYAM SOUTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

COPY TO

THE SUPERINTENDENT OF POLICE,
VIRUDHUNAGAR DISTRICT.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-4561[I] dated 17/04/2024)

ORDER
IN

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Date :17/04/2024

RK/JGB (25/04/2024) 5P / 7C

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