



CRL OP(MD). No.20693 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20693 of 2024

1. Sangumani

2. K. Rathika,

... Petitioners/ Accused Rank not known

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
In Crime No. 197 of 2024.

... Respondent/ Complainant

For Petitioners : Mr.B.Jameelarasu,
Advocate.

For R-1 : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

For Intervener : Mr.Jonci,
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.20693 of 2024

PRAYER:-

For Anticipatory Bail in Crime No. 197 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent Police, for the offences under Sections 194 of BNS @ 108 of BNS in Crime No. 197 of 2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant had married one Malarkani. The wife of the defacto complainant had received three sovereigns of gold jewels from one Radhika and the said Radhika asked the defacto complainant to redeem the jewels. On 07.11.2024, the defacto complainant returned back after attending a marriage and she was intercepted by the said Radhika and slapped her with chappal and a criminal complaint was also given in this regard. During this time, the said Radhika along with the first petitioner have reported to the defacto complainant as if the wife, Malarkani is having illicit relationship with someone else. After hearing this, on 09.11.2024, at about 12.00 a.m. the wife of the defacto complainant committed suicide by hanging. She also recorded a voice message to the effect that the petitioners are only responsible for her death.



CRL OP(MD). No.20693 of 2024

WEB COPY

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the manner in which the incident had taken place and also considering the fact that custodial interrogation may not be required in this case, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory 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 District Munsif cum Judicial Magistrate, Thirubuvanam, Sivagangai District, 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 said Magistrate, on further condition that:



CRL OP(MD). No.20693 of 2024

WEB COPY

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent police every Monday, Wednesday and Friday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 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;



CRL OP(MD). No.20693 of 2024

[f] if the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS 2023.

sd/-
27/11/2024

/ TRUE COPY /

/12/2024

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

TSG

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, THIRUBUVANAM,
SIVAGANGAI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3.THE INSPECTOR OF POLICE,
THIRUPPACHETHI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-14650[I] dated 28/11/2024)

ORDER

IN

CRL OP(MD) No.20693 of 2024

Date :27/11/2024

RK/SKN (11/12/2024) 5P / 6C

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