



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

Tuesday, the Twenty First day of July Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.13683 of 2015

SANTHIYAGU AMMAL

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
PARAMAKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO. 60/2015.

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.G.BHAGAVATH SINGH ADVOCATE
FOR RESPONDENT : MR.K.V.RAJARAJAN GOVT. ADVOCATE (CRL. SIDE)

PETITION FOR BAIL UNDER SEC. 439 CR.P.C.

ORDER : THE COURT MADE THE FOLLOWING ORDER :-

The petitioner, who is arrayed as the sole accused in Crime No.60 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 25.05.2015 for the alleged offences punishable under Section 302 of I.P.C., and hence, seeks bail.

2.According to the deceased, the accused and the deceased were residing under the same roof without any cordial relationship. The deceased has preferred a complaint stating that she has not served food to the deceased and when it was questioned, she used to quarrel with him and on 24.05.2015, when the deceased went to the house, the accused was not available there and she came late and when he was questioned, wordy quarrel arose between them and on the same day, she poured hot oil on him and thereafter, he died due to the injuries on 12.06.2015.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and she has not committed any offence as alleged by the respondent. The learned counsel further submitted that the petitioner's son is residing at Mumbai and due to matrimonial dispute, she was residing with her son for two years and she came only recently and even according to the prosecution, the accused committed the offence due to sudden provocation and there is no *mens rea* to commit the offence.

4.The learned Government Advocate (Crl.side) would submit that the case was registered based on the statement of the deceased and the major part of the investigation is over.

5.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail on the following conditions.
The petitioner is directed to be released on bail on executing 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 Judicial



Magistrate Court, Paramakkudi and on further condition that the petitioner shall report before the respondent police daily at 10.00 a.m., until further orders.

sd/-
21/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE, PARAMAKKUDI.
 2. THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
 3. THE INSPECTOR OF POLICE
PARAMAKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT.
 4. THE SUPERINTENDENT
CENTRAL PRISON FOR WOMEN, TRICHY.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.G.BHAGAVATH SINGH Advocate SR.No.39631.

ORDER
IN
CRL OP(MD) No.13683 of 2015
Date :21/07/2015

2P/7C
RPB 27.07.2015