



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

Monday, the Fourteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17791 of 2015

1 PANDIYAMMAL
2 KAVITHA

... PETITIONERS / ACCUSED NO.2 & 3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THENKARAI POLICE STATION,
CR.NO.411 OF 2015,
THENI DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.SHANKAR GANESH Advocate

For Respondent : MRS.S.PRABHA Govt. Advocate (CrI. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

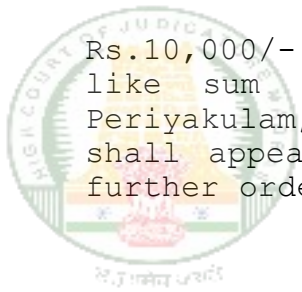
The petitioners, who are arrayed as accused Nos.2 and 3, in Crime No.411 of 2015 on the file of the respondent police, were arrested on 25.07.2015 for the alleged offences punishable under Section 174 of Cr.P.C., altered into Sections 498(A), 304(b), 302, 201 of I.P.C. and Section 4 of Dowry Prohibition Act and hence, seek bail.

2. According to the prosecution, the first accused married the deceased about 4 years prior to the occurrence and they are having two children born out of the wedlock and on 13.07.2015, the first accused killed the deceased by strangulation and thereafter, by the advice of the accused 2 and 3, he poured kerosene on the deceased and set ablaze.

3. The learned counsel for the petitioners submitted that the prime accused A1 was already arrested and remanded to judicial custody and the overt act attributed against these petitioners is only for screening the evidence in this case. It is further submitted that originally the case was registered under Section 174 of Cr.P.C., and it was altered based on the confession of the first accused.

4. The learned Government Advocate (CrI.side) would contend that the first accused murdered his wife by strangulating her neck and thereafter got advice from his mother and sister for disposal of the body and as per their advice, he poured kerosene on the deceased and set fire as if she committed self immolation. It is further submitted that the investigation is at prime stage.

5. However, considering the incarceration of the petitioners and the charges against them, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail on their executing 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 learned Judicial Magistrate, Periyakulam, Theni District and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders.

sd/-
14/09/2015

WEB COPY / TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE
PERIYAKULAM

2 THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT

3 THE SUPERINTENDENT
CENTRAL PRISON
TRICHY

4 THE INSPECTOR OF POLICE
THENKARAI POLICE STATION,
THENI DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

+1. CC to M/S R.SHANKAR GANESH Advocate SR.No.54092

ORDER
IN
CRL OP(MD) No.17791 of 2015
Date :14/09/2015

AM/14.09.2015/GSV.PM/SAR-II/2P/7C