



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

Monday, the Seventh day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.23012 of 2015

SREEJA

... PETITIONER / SOLE ACCUSED

Vs

The State of TamilNadu Rep.by
THE INSPECTOR OF POLICE
ARUMANAI POLICE STATION,
ARUMANAI, KANYAKUMARI DISTRICT.
CR.NO. 417 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.XAVIER RAJINI Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

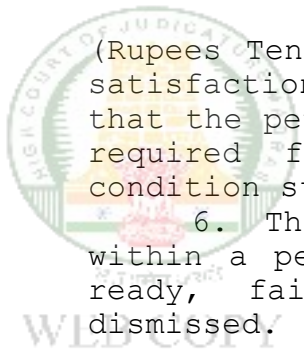
The petitioner, who is the sole accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 302 and 309 of IPC in Crime No.417 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant is the father in law of the petitioner. The de facto complainant's wife, petitioner and the petitioner's son viz., Abinath were living as a joint family. The petitioner's husband is in abroad. On 03.09.2015, at 1.00 am, when the deceased Abintah was cried, the de facto complainant and his wife saw the petitioner, at that time, the petitioner spraying new hit in the house and thereafter, they went to bed. Subsequently, in the morning their grand son, viz., Abinath found dead and the petitioner was under un-conscious with cut injury. On complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is taking treatment from 2014, for her mental illness. He further submitted that the petitioner is innocent and she has not committed any offence and she has been falsely implicated in this case and prays for anticipatory bail in favour of the petitioner.

4. The learned Government (Crl. Side) would submit that the petitioner is not mentally alright and on the complaint of the father-in-law of the de facto complainant, a case has been registered against the petitioner and the investigation is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is the mother of the deceased child viz., Abinath and that the petitioner is taking treatment from 2014 for her mental illness, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Judicial Magistrate-I, Kuzhithurai, Kanyakumari District and on her 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
07/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE-I, KUZHITHURAI, KANYAKUMARI DISTRICT
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT
- 3 THE INSPECTOR OF POLICE
ARUMANAI POLICE STATION,
ARUMANAI, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.XAVIER RAJINI Advocate SR.No.69805

sm:SKS-RR:SAR II:08.12.2015:2P/6C

ORDER
IN
CRL OP(MD) No.23012 of 2015
Date :07/12/2015