



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

Thursday, the Nineteenth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.6381 of 2018

NAGESHWARI,

... PETITIONER/ACCUSED No.1

Vs

THE STATE BY
THE INSPECTOR OF POLICE
K.PUDUR POLICE STATION,
MADURAI DISTRICT.
CRIME NO.60 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.JOSEPH JERRY Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

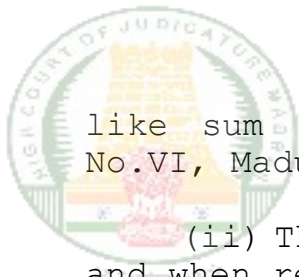
The petitioner is arrayed as 1st accused. The petitioner was arrested and remanded to judicial custody on 08.02.2018 in Crime No.60 of 2018 on the file of the respondent Police for the offences under Sections 307 I.P.C and further it was altered into 324, 109 and 302 of I.P.C. She seeks bail.

2.The deceased in this case is none other than the petitioner's own mother. The petitioner's dying declaration is that she was set on fire by the petitioner's husband. The petitioner does not seem to have played any other role.

3.Heard the learned Government Advocate (Crl Side) appearing for the respondent.

4.Considering the fact that the death of the petitioner's mother is attributable as to the act of the petitioner's husband, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

<https://hcservices.ecourts.gov.in/hcservices/>
(1) The petitioner shall execute 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 Judicial Magistrate No.VI, Madurai.

(ii) The petitioner shall appear before the respondent police as and when required for interrogation.

(iii) The petitioner shall not abscond.

(iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

sd/-
19/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI
- 3 THE INSPECTOR OF POLICE
K.PUDUR POLICE STATION, MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 5 THE SUPERINTENDENT
CENTRAL PRISON FOR WOMEN, MADURAI

+1. CC to M/S.A.JOSEPH JERRY Advocate SR.No.6599

ORDER
IN
CRL OP(MD) No.6381 of 2018
Date :19/04/2018

SMA/CM-VR/RNB/19.04.2018:2P/7C