



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

Monday, the Twenty Fourth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.16500 of 2018

RAJATHI

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
EMBAL POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO.17 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.G.MATHAVAN Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 08.08.2018 for the offence punishable under Section 174 of Cr.P.C @ 302 I.P.C, in Crime No.17 of 2018. He seeks bail.

2.The case of the prosecution is that on 11.07.2018, the defacto complainant's son Muniyasamy was found to be dead in suspicious manner. Hence, the case has been registered under Section 174 Cr.P.C. Subsequently, it was altered into 302 I.P.C.

3. The learned counsel for the petitioner would submit that the petitioner is a lady. She is having one year child. No one is taking care of her child. Further, he submitted that the petitioner is in incarceration from 08.08.2018 onwards. Hence, he prays for bail.

4.The learned Additional Public Prosecutor would submit that the investigation is pending.

5.It is seen from the records that due to the torture given by the deceased, the petitioner strangulating the deceased and murdered on 11.07.2018. Thereafter, she told that the deceased was committed suicide by hanging himself. The Postmortem report reveals that the petitioner died due to smothering and strangulating. Considering the facts and circumstances and considering the period of incarceration and also considering the fact that the petitioner is having one year child and she has to take care of the child, this Court is inclined



to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(i) 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 (*)

District Munsif cum Judicial Magistrate, Thirumayam, Pudukkottai district.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders.

sd/-

24/09/2018

/ TRUE COPY /

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

**(*) Amended as per order of this
Hon'ble Court made in CRL MP(MD).7898/2018
IN CRL OP(MD).16500/2018 dated 05.10.2018**

TO

To be substituted with the order already despatched

1. **(*) THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, THIRUMAYAM, PUDUKKOTTAI DISTRICT.**
2. THE JUDICIAL MAGISTRATE, ARANTHANGI.
3. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI DISTRICT.
4. THE SUPERINTENDENT, CENTRAL PRISON FOR WOMEN, TRICHY.
5. THE INSPECTOR OF POLICE, EMBAL POLICE STATION, PUDUKKOTTAI DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.16500 of 2018

Date : 24/09/2018

MS/VR-MMS/SAR-1/24.09.2018/2P.7C

PS/JC/SAR-4/12/10/2018:2P/7C

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