



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.22912 of 2018

V. MAHALAKSHMI

... PETITIONER / ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE,
MALLANKINARU POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME.NO.272 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.JEYAKUMARAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI Govt. Advocate
(Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/A1, who is remanded to judicial custody in Crime No.272 of 2018 on the file of the respondent police for the offences punishable under Section 302 IPC, seeks bail.

2.The case of the prosecution is that the petitioner is the wife of the deceased, namely Veerapathiran, who was a drunkard. On 12.11.2018, there was a wordy quarrel between the petitioner and the deceased and thereafter, the petitioner herein killed the deceased by putting stone on the head of the deceased. Hence, the complaint.

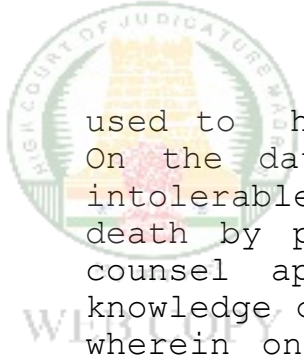
3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal Side] for the respondent State.

4.According to the petitioner, the deceased was having two previous cases and he was having bad antecedents. The petitioner is the only breadwinner and she has to now take care of the children.

5. The learned Government Advocate [Criminal Side] opposed for grant of bail. He submitted that investigation is almost completed and viscera report is awaited.

6.This Court has considered the submissions of the learned <https://hcservices.ecourts.gov.in/hcservices/> counsel on either side.

7.On perusal of the records, this Court finds that the deceased



used to harass his wife and children in the influence of liquor. On the date of occurrence, it is alleged that provoked by the intolerable attitude of the deceased, the petitioner has caused the death by putting stone on the head of the deceased. The learned counsel appearing for the petitioner has also brought to the knowledge of this Court that the deceased was involved in two cases wherein one case was registered for the offence punishable under Section 4 of Women Harassment Act. He would also submit that on the date of occurrence, he misbehaved with his minor daughter. The petitioner was arrested on 13.11.2018 and she is in custody for the past 45 days and the investigation is almost completed.

8.Considering the facts and circumstances of the case and also taking into consideration of the fact that the petitioner, who is a woman, has been in incarceration for more than 45 days and also the fact that investigation is almost completed, 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 Principal District & Sessions Judge, Virudhunagar District at Srivilliputtur.

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

sd/-

27/12/2018

/ TRUE COPY /

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

TO

1 THE PRINCIPAL DISTRICT
&SESSIONS JUDGE, VIRDHUNAGAR AT SRIVILLIPUTTUR.

3 THE SUPERINTENDENT,CENTRAL JAIL, MADURAI.

3 THE INSPECTOR OF POLICE,
MALLANKINARU POLICE STATION, VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.J.JEYAKUMARAN Advocate SR.No.24155
PS/PN-AC/SAR-3/28.12.2018/2P/6C

ORDER

IN

CRL OP(MD) No.22912 of 2018

Date :27/12/2018