



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

Wednesday, the Tenth day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.18122 of 2018

1 RAJESWARI
2 JENCY

... PETITIONERS / ACCUSED NO.1 & 2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
(IN CR NO. 471 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ARAVIND RAJ 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 :-

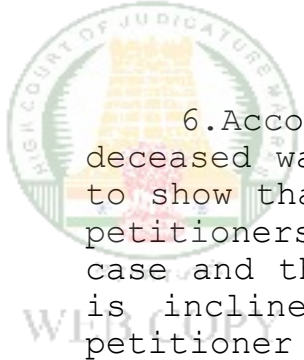
The petitioners are in judicial custody since 20.09.2018, for the offences punishable under Section 294(b) and 306 of IPC in Crime No.471 of 2018 on the file of the respondent police. He seek bail.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

3.The case of the prosecution that the 1st petitioner is mother-in-law and 2nd petitioner is the wife of the deceased. On 19.09.2018 this petitions scolded the deceased and 2nd petitioner refused to living together. Hence, the deceased came his home and set fire himself and died in the hospital and hence the complaint.

4.The learned counsel for the petitioner would submit that even as per the prosecution case 2 months prior to the occurrence she scolded the deceased for non employment, deceased gave torture to the first petitioner herein in intoxication mood.

5.The learned Additional Public Prosecutor vehemently opposed to the grant of bail to the petitioners.



6. According to the prosecution, 2 months before the the deceased was scolded by the first petitioner, there was no evidence to show tha before the death of the deceased he was abducted by the petitioners. Considering the above facts and circumstances of the case and the period of incarceration by the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(i) the petitioners shall execute 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 No.II, Kovilpatti.

(ii) the petitioners shall report before the respondent police as and when required for interrogation.

sd/-

10/10/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI.
- 2 -DO- THROUGH THE CHIEF
JUDICIAL MAGISTRATE, TUTICORIN.
- 3 THE INSPECTOR OF POLICE,
KOVILPATTI WEST POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE OFFICER INCHARGE,
WOMEN PRISON, KOKKARAKULAM,
TIRUNELVELI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ARAVIND RAJ Advocate SR.No. 19273

ORDER

IN

CRL OP(MD) No.18122 of 2018

Date :10/10/2018

JM/PN/SAR 1/10.10.2018/2P/7C