

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Twenty Ninth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11581 of 2019

MEENAKSHI SUNDARAM @ SUNDARAM

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP BY ITS [ RESPONDENT ]  
THE SUB INSPECTOR OF POLICE, (L AND O),  
KUNDRATHUR POLICE STATION,  
CHENNAI.  
CR. NO. 1101 OF 2018.

For Petitioner : M/S.VIJAYARAGAVAN K. Advocate

For Respondent : M/S.M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A2 who was arrested and remanded judicial custody on 31.08.2018 for the offence punishable under Section 302 of IPC and subsequently altered to Section 302 read with 120(B) of IPC in Crime No.1101 of 2018 on the file of the respondent police, seeks bail.

2.Heard both sides.

3.The case of the prosecution is that the defacto complainant is the husband of the first accused and they had two children. It is alleged that the first accused had illegal relationship with this petitioner/A2 due to which, the first accused is alleged to have committed murder of her own two children with the help of this petitioner/A2. Hence, the complaint.

4.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he had been falsely implicated in this case. Further, he submitted that the petitioner is in judicial custody from 31.08.2018 and this is 4<sup>th</sup> bail application. Hence, he sought for bail to the petitioner.

5.The learned Additional Public Prosecutor would submit that the petitioner had illegal intimacy with A1 and only on instruction of this petitioner, A1 murdered her own two children. Therefore, the petitioner has committed heinous offence and hence she vehemently opposed for grant of bail to the petitioner. She further submitted that the case is pending for trial in S.C.No.77 of 2018 on the file of the Principal District and Sessions Court, Kancheepuram.

6.On perusal of the records, it is seen that Earlier, the petitioner's bail application was disposed of by this Court on 04.01.2019 on merits and considering the nature of offence and taking note of the fact there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this criminal original petition is dismissed.

-sd/-

29/04/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAI, CHENNAI

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE SUB INSPECTOR OF POLICE, (L AND O),  
KUNDRATHUR POLICE STATION, CHENNAI.

4 THE PRINCIPAL DISTRICT AND  
SESSIONS COURT, KANCHEEPURAM.

CC to M/S.VIJAYARAGAVAN K. Advocate on payment of necessary  
charges Sr.9010

CRL OP.11581/2019

Date :29/04/2019

rvr 10/05/2019