

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.14970 of 2020

Malathi

... Petitioner/9th Accused

Vs.

The State represented by,
The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai. (Crime No.4295/2020) ... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to grant bail to the petitioner in Crime No. 4295 of 2020, on the file of the respondent police.

For Petitioner : Mr.P.Vignesh

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 16.08.2020 for the offences punishable under Sections 147, 148, 341, 307, 302, 506(ii), 120(b) of IPC in Crime No. 4295 of 2020 on the file of the respondent police, seeks bail.

2 The case of the prosecution as per the defacto complainant viz., Priya is that the first accused mother and his associates were selling liquor in the area, the police has registered case against them. The accused suspected that the husband of the defacto complainant would have informed about their illegal activities to the police and they had conspired to kill him and on 15.08.2020 when the defacto complainant and her husband were at their home, the accused had gone to their home with deadly weapons and indiscriminately assaulted the husband of the defacto complainant with deadly weapons, due to which, he died at the scene of occurrence. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case since she is the wife of the first accused. He would submit that the name of the petitioner does not find place in FIR and that only since some of her relatives conducted an agitation near the police station, the petitioner was taken to the station and the respondent has initially stated that they were giving protection to the petitioner and later she was arrested in this case. Hence, he prays to grant bail to the petitioner.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that it is a case, where the accused in high-handed manner had committed murder of the person whom they suspected to have given information to the police about their illegal activities. She would submit that the petitioner had instigated the other accused to commit the murder and that the investigation is in the initial stage. She would further submit that the husband of the petitioner is a life convict and he had committed the offence while on suspension of sentence and bail. Hence, she vehemently opposed to grant bail to the petitioner.

5 Taking into consideration the facts and submissions made by the learned counsels and considering the fact that the petitioner was arrested very recently on 16.08.2020, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

-sd/-

24/09/2020

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 XV METROPOLITAN MAGISTRATE
GEORGE TOWN, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
H-3, TONDIARPET POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI

CC to M/S.P.VIGNESH Advocate on payment of necessary charges

CRL OP.14970/2020

Date :24/09/2020

RVR 07/10/2020