

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2020

CORAM :

THE HON'BLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P.No.20881 of 2020

Sathya

... Petitioner

Vs.

State Rep. by

The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai.

(Crime No.1164 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.1164 of 2020 pending investigation on the file of the respondent police.

For Petitioners : Mr.S.L.Venkatesan

For Respondent : Mr.K.Madhan

Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 28.11.2020 for the offences punishable under Section 365,342,23,324,506(ii) IPC altered into 306 of IPC, in Crime No.1164 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is wife and the deceased is husband. The defacto complainant is father of the deceased. The petitioner has got divorce from her husband (deceased) due to misunderstanding. The petitioner along with her brothers had kidnapped the defacto complainant's son and threatened him to remarry the petitioner. But he escaped from that place and later committed suicide and died. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and she has been falsely implicated in this case. He would further submit that the petitioner is a lady and she is in judicial custody for more than a month. Hence, prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would vehemently oppose stating that the defacto complainant's son was set fire on himself due to the threatening of the petitioner and her brothers. The respondent police has recorded the dyeing declaration that due to attitude of the petitioner and her brothers, the deceased set fire on him. Hence, the learned Government Advocate vehemently opposed to grant bail to the petitioner.

5.Heard the learned Counsels on either side. Perused F.I.R. and other materials placed on record.

6.Considering the grave nature of the offence and in the dyeing declaration specifically implicated the accused and the circumstances of the offence committed, I am declined to grant bail to the petitioner.

7.This Criminal Original Petition shall stand dismissed accordingly.

-sd/-

30/12/2020

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 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
T-4, MADURAVOYAL POLICE STATION,
CHENNAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON (WOMEN WING)
PUZAL AT CHENNAI.

CC to M/S. S.L.VENKATESAN Advocate on payment of necessary charges

CRL OP.20881/2020

Date :30/12/2020

MK:07/01/2021