



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2020

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PRESENT

The Hon'ble Mr. Justice V. BHARATHIDASAN

CRL OP(MD). No.7147 of 2020

Murugayee

... Petitioner/Accused No.5

Vs

The State rep. by
The Inspector of Police,
Gandharvakottai Police Station,
Pudukottai
Cr No.274/2020.

... Respondent/Complainant

For Petitioner : M/s.C.Deepak,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

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

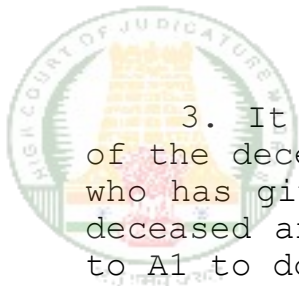
PRAYER :-

For Bail in Crime No.274 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A5 herein was arrested and remanded to judicial custody on 09.06.2020 for the alleged offences under Sections 120(b), 147, 302 of IPC.

2. There are totally five accused in this case. The petitioner herein is A5. The deceased by name Vidya is the daughter of the defacto complainant. On the date of occurrence the deceased went to fetch water in the village tank and thereafter she was found missing and after search she was found in a unconscious stage with strangulation mark on her neck. Immediately she was taken to Thanjavur Medical College Hospital. Based on the complaint given by the mother of the deceased initially a case was registered under Sections 307 r/w.12 of POCSO Act. Subsequently the deceased died on the same day. Hence the case has been altered to under Sections 120(b), 147, 302 of IPC.



3. It is a heinous crime of human sacrifice. A1 is the father of the deceased, A2 is the second wife of A1, A3 is the friend of A5 who has given advice for human sacrifice, A4 is the relative of the deceased and A5 only introduced A3 who is the close friend of her to A1 to do the human sacrifice for the welfare of the family.

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4. The learned counsel for the petitioner would submit that even as per the First Information Report no allegation has been levelled against this petitioner. Investigation also reveals the petitioner is the friend of A3 and she only introduced her only to do some poojas and she has not actively participated in the said human sacrifice. He would also submit that the petitioner was not present in the scene of occurrence. He would also submit that the petitioner is in jail for more than two months. Hence she may be granted bail.

5. The learned Government Advocate(Criminal Side) would submit that the petitioner herein is A5 and all the accused persons namely A1 to A5 jointed together committed the human sacrifice. Confession statement of the co-accused clearly indicates that all the accused persons actively participated in the said occurrence and it is a case of heinous crime. Hence he opposed to grant bail to the petitioner.

6. It is case of human sacrifice, A1 is the father of the deceased. All the accused persons joined together and committed the offence of killing a 13 years old female child for the welfare of the family and the petitioner herein is only introduced A3 to A1 to do the human sacrifice and she also actively took part in the entire occurrence. Hence this Court is not inclined to grant bail to the petitioner.

7. Hence this petition stands dismissed.

sd/-
12/08/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN,
TRICHY.
2. THE INSPECTOR OF POLICE,
GANDHARVAKOTTAI POLICE STATION,
PUDUKOTTAI .
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI .

ORDER

IN

CRL OP(MD) No.7147 of 2020

Date :12/08/2020

AAV

SRS/ VR/ SAR-II/ 14.08.2020/ 3P/4C