



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

Date : 23/12/2020

PRESENT

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

CRL OP(MD).No.15767 of 2020

Thilagavathi

... Petitioner/Accused No.3

Vs.

State rep.by,
The Inspector of Police,
Mayanur Police Station,
Karur District.
(In Cr.No.607 of 2020)

... Respondent/Complainant

For Petitioner : Mr.Susi Kumar.C,
Advocate.

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

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

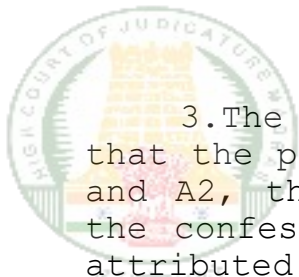
PRAYER :-

For Bail in Crime No.607 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3 herein, who was arrested and remanded to judicial custody on 20.11.2020 for the alleged offence punishable under Sections 302 IPC, seeks bail.

2.The case of the prosecution is that the defacto complainant, who is the Village Administrative Officer at Mayanur, has received an information from the public that a male body floating on the Kaveri River near Mayanur. Upon the information, the defacto complainant along with his Assistant went to the spot and saw the body, in which, there was a cut injury found in neck and stomach of the body. Based on the information, FIR came to be registered. During the course of investigation, the first accused was arrested and based on his confession, the petitioner has been implicated in this case. According to the confession of the first accused, the 2nd accused is having illegal affair with the petitioner, for which the 2nd accused and the petitioner said to have engaged him to murder the deceased, who is the husband of the petitioner.



3.The learned counsel appearing for the petitioner would submit that the petitioner is arrayed as A3. On the confession given by A1 and A2, the petitioner is falsely implicated in this case. Except the confession of A1 and A2, no other specific overt act has been attributed as against the petitioner. He further submitted that the petitioner happens to be the wife of the deceased and she falsely implicated in this case and she was arrested and remanded to judicial custody on 20.11.2020. Hence, he sought for grant bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that the deceased is the husband of the petitioner. The petitioner has developed illicit intimacy with A2. When it was questioned by the deceased, both of them conspired to murder him through hooligans. Accordingly, they gave money to A1 to commit the murder of the deceased. Therefore, A1 has murdered the deceased with the help of A2 and throw him in a channel. Hence, he opposed to grant bail to the petitioner.

6.It is seen that there are totally three accused, in which the petitioner is arrayed as A3, who is the wife of the deceased. The petitioner is having illegal intimacy with the second accused. Therefore, A2 and A3 conspired to murder him and they gave money to the first accused to commit the murder of the deceased, then the first accused has murdered the deceased. After murder, they thrown out the body of the deceased into channel and on information, the Village Administrative Officer went to the spot and lodged a complaint. The investigation reveals that the petitioner involved in the murder of her own husband. Therefore, this Court is not inclined to grant bail to the petitioner.

7.Hence, the Criminal Original Petition stands dismissed.

sd/-
23/12/2020

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/ /2021
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 SUPERINTENDENT,
CENTRAL JAIL, TRICHY.

2. THE INSPECTOR OF POLICE
MAYANUR POLICE STATION,
KARUR DISTRICT

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.15767 of 2020

Date : 23/12/2020

vsd

PK/KV/SAR-II/07.01.2021 : 3P/4C