

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CrI.O.P.No.2203 of 2021

E.Valliyammal

... Petitioner

-Vs-

State by

The Inspector of Police,

C-3, Manimangalam Police Station,

Manimangalam,

Kancheepuram District.

(Crime No.1359 of 2020)

... Respondent

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure praying to enlarge the petitioner on bail in the event of her arrest in Crime No.1359 of 2020 is pending on the file of the respondent police.

For Petitioner : M/s.R.Hemalatha

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

The case has been heard through video conference

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 302, 201 of IPC, in Crime No.1359 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant was working as a VAO. The petitioner's daughter by name Pavithra had a illegal intimacy with another person and she gave a birth to a male child. Further, the mother of Pavithra had killed the new born child and she buried the child's body near to her house. Based on the complaint has been given by the Village Administrative Officer, the case has been registered.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. She would further submit that the petitioner's daughter gave a birth of male child in the hospital bathroom, while delivery the child fell down and died, since the petitioner never knows that her daughter is pregnant, till the death of the child, due to careless of the Sayee hospital. He would further submit that there is no previous case pending as against the petitioner Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that the petitioner had killed the new born child and she buried the child's body near to her house. He would further submit that based on the complaint has been given by the VAO, the case has been registered and the respondent police found the body of the child near to her house and sent the body to the post-mortem. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner has involved in very serious offence of murdering a new born baby, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
10/02/2021

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 JUDICIAL MAGISTRATE NO.I,
SRIPERUMBUDUR, KANCHEEPURAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
C-3, MANIMANGALAM POLICE STATION,
MANIMANGALAM, KANCHEEPURAM DISTRICT.

CC to M/S.R.HEMALATHA Advocate on payment of necessary
charges

CRL OP.2203/2021

Date :10/02/2021

MK:22/02/2021



WEB COPY