



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

Date : 25/02/2021

PRESENT

WEB COPY

**The Hon'ble Mr. Justice M.NIRMAL KUMAR**

CRL OP(MD) . No.1032 of 2021

Petchithai

... Petitioner/Accused No.3

**Vs**

The State Rep. by  
The Inspector of Police,  
Thattarmadam Police Station,  
Thoothukudi District.  
(Crime No.51/2010).

... Respondent/Complainant

For Petitioner : Mr.Ramasamy.S,  
Advocate.

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

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

**PRAYER :-**

For a Bail in Crime No.51 of 2010 on the file of the respondent police.

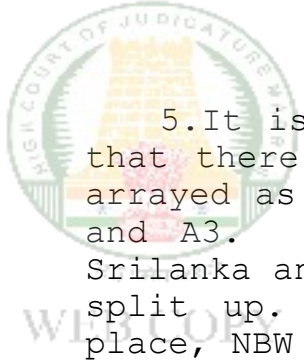
**ORDER :** The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners/A3 herein were arrested on 29.07.2020 for the alleged offences under Sections Women Missing @ 366, 376, 302, 379 and 201 of IPC.

3. The case of the prosecution is that on 22.05.2020 the petitioner along with two other persons murdered the deceased for gain and one of the accused also committed rape on the deceased.

4. Earlier the petitioner was granted bail and subsequently the petitioner failed to appear before the trial court hence Non Bailable Warrant was issued on 30.11.2020. Thereafter the petitioner was arrested and remanded to judicial custody on 29.07.2020, hence seeking bail the present application is filed.



5. It is submitted by the learned Government Advocate (Crl. Side) that there are three accused in this case in which the petitioner arrayed as A3. A2 is her husband. A1 is the close relative of A2 and A3. The petitioner after committing the crime had left to Srilanka and stayed there for almost ten years. Hence, the case was split up. On knowing that the petitioner arrived to the native place, NBW was issued against her and thereafter, the petitioner was secured. The case is committed to Court of Sessions in the pending trial in S.C.No.319 of 2020. The petitioner and her husband have not so far engaged any advocate and the case is getting delayed in its progress.

6. In view of the same, the Criminal Original Petition is dismissed. If the petitioner does not engage any advocate for her, the Trial Court shall nominate advocate from the panel of legal aid counsel and proceed with the trial. Since the crime is of the year 2010, the Trial Court shall complete the trial within a period of three months from the date of receipt of a copy of this order.

sd/-  
25/02/2021

/ TRUE COPY /

/ /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 JUDICIAL MAGISTRATE, SATHANKULAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,  
THATTARMADAM POLICE STATION,  
THOOTHUKUDI DISTRICT.
4. THE OFFICER IN-CHARGE,  
WOMEN PRISON, KOKIRAKULAM.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

**COPY TO:-**

THE REGISTRAR (JUDICIAL),  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN  
CRL OP (MD) No.1032 of 2021  
Date : 25/02/2021