



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

Date : 30/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN
CRL OP(MD) . No.8571 of 2021

WEB COPY

A.Muthurakku

... Petitioner/Accused No.1

Vs

State rep by
The Inspector of Police,
Paramkudi Taluk Police Station,
Ramanathapuram District.

Crime No. 166/2021

... Respondent/Complainant

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

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr.No. 166 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :

The petitioner/A1, who was arrested on 01.05.2021 for the offences punishable under Sections 449,380 and 302 of IPC in Crime No.166 of 2021 on the file of the respondent police, seeks bail.

2. The deceased is the mother of the defacto complainant. The age of the deceased at the time of death is 92 years old. The case of the prosecution is that the deceased used to wear gold stud and bangles about 12 sovereigns worth about Rs.1,80,000/- She used to go to Thoppu and bring coconut lying on the ground. On 30.04.2021 at about 09.00 a.m., the defacto complainant instructed her mother to come home for taking food. At about 03.00 pm., he found his mother was not available in the home. When he enquired his wife about his mother she told him that his mother not returned from the coconut grove. Therefore he went to the coconut grove and found his mother dead in the motor room. Her ear stud and bangles were removed and chilly powder was sprayed in the room. Therefore the case came to be registered.

2. The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. In fact there is no mention about the name of the petitioner in the First Information Report. Only on the basis of confession statement of the co-accused this petitioner has been implicated as accused in this case. He would further submit that the petitioner is in jail from 01.05.2021, hence he seeks bail.



3. The learned Additional Public Prosecutor appearing for the respondent opposed the petition on the ground that the old lady aged about 92 years was done to death for the main purpose of robbing her gold ear stud and bangles. During the occurrence the accused had forcibly pulled her ear. As a result her ear was severed. She was killed by strangulation.

4. Taking into consideration the manner in which the murder is said to have been committed on a hapless and helpless women aged about 92 years, and also the fact that the investigation is not yet completed, this Court is not inclined to grant bail to the petitioner.

5. In the result, the petition stands dismissed.

Sd/-
30/06/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

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 INSPECTOR OF POLICE,
PARAMKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT.
2. THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.8571 of 2021
Date : 30/06/2021