



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

Date : 09/11/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.16641 of 2021

Madasamy

... Petitioner/Sole Accused

Vs

The state represented by
The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.
Crime No.131 OF 2021

... Respondent/Complainant

For Petitioner : M/s.Anandan.B,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

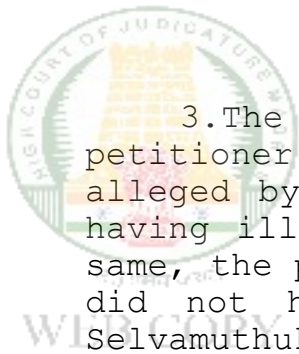
PRAYER :-

For Bail in Crime No.131 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole accused, who was arrested on 25.09.2021, for the offence punishable under Section 302 I.P.C, in Crime No.131 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the husband of the deceased and the de-facto complainant is the father of the deceased. The marriage between the petitioner and the deceased was solemnized in the year 2013. Out of the wedlock, they were blessed with one female child. Later, the petitioner has suspected the deceased's character and her fertility, due to which, there was a dispute between the husband and wife and the deceased was living separately for the past two years. Thereafter, the petitioner went to the de-facto complainant's home for convincing the deceased and the deceased was living with the petitioner in his home. On 25.09.2021, the petitioner is said to have strangled the deceased's neck and compressed with pillow on her face and murdered her. Hence, the complaint.



3.The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He also submits that the deceased was having illegal intimacy with one Selvamuthukumar and on seeing the same, the petitioner advised her to quit the relationship. But, she did not heed his words and continued to speak with the said Selvamuthukumar. He further submits that the petitioner is in judicial custody from 25.09.2021 and hence, he seeks for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent has strongly opposed this petition on the ground that the petitioner has suspected the deceased's character and her fertility and also murdered the deceased. He further submits that the investigation is yet to be completed.

5.Admittedly, the petitioner is the husband of the deceased, Radhika. According to the prosecution, the petitioner, suspecting the character of his wife, had quarrelled with her continuously.

6.Considering the seriousness and gravity of the offence alleged and the manner in which the alleged murder was committed and also the facts that the petitioner is in judicial custody from 25.09.2021 and that the investigation is pending as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioner at that point of time.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-

09/11/2021

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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,
DISTRICT PRISON, RAMANATHAPURAM.

2 THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

ORDER

IN

CRL OP(MD) No.16641 of 2021

Date :09/11/2021

WEB COPY

SJI

SS/VR/SAR-II/12.11.2021 : 3P/4C