



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

Date : 19.11.2021

PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD). No.17418 of 2021

Revathi ... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Aruppukkottai Taluk Police Station,
Virudhunagar District.
In Crime No.104 of 2021.

... Respondent/Complainant

For Petitioner : Mr.G.Karuppasamy Pandian
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.104 of 2021 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to
judicial custody on 21.10.2021 for the offences punishable under
Section 302 IPC in Crime No.104 of 2021 on the file of the
respondent police, seeks bail.

2.The case of the prosecution is that on 21.10.2021 at about
07.00 p.m., the petitioner had murdered her husband by assaulting
him brutally. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is the wife of the deceased, that the deceased is a
drunkard and he was quarrelling with the petitioner and his children
frequently and was harassing her continuously and that the deceased
has already been admitted in the Peace De Addiction Centre at
Madurai for treatment. Even thereafter, he has not changed his
attitude towards the petitioner and the petitioner was unable to
bear his harassment and due to which, the incident had happened. He
would further submit that the petitioner is in judicial custody from
21.10.2021. Hence, he seeks bail.



4.The learned Additional Public Prosecutor for the respondent police would fairly concede that the deceased is a drunkard and also he has taken treatment at Peace De Addiction Centre at Madurai.

5.It is not in dispute that the deceased is having two children, aged about 6 and 8 years. Moreover, the petitioner was taken in police custody and the weapons allegedly used for attacking the deceased has already been recovered.

6.Considering the above facts and circumstances of the case and also considering the facts that the petitioner is in judicial custody from 21.10.2021 and that she is not having any bad antecedents, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Aruppukottai, Virudhunagar District.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

ii) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

iii)the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

19/11/2021

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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 JUDICIAL MAGISTRATE,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
ARUPPUKOTTAI TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1 CC to Mr.G.KARUPPASAMY PANDIYAN, Advocate (SR-8281[I] dated 19/11/2021)

ORDER

IN

CRL OP(MD) No.17418 of 2021

Date :19/11/2021

SJI

MK/PN/SAR.IV/19.11.2021/3P/7C