



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

Date : 10/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.19037 of 2021

Gayathri ... Petitioner/Sole Accused

Vs

The Inspector of Police,
Fort Police Station,
Trichy City.
(Crime No.1287/2021)

... Respondent/Complainant

M.Ezhilarasan

... Intervene Petitioner/
Defacto Complainant
IN CRL MP(MD)No.10969 of 2021
IN CRL OP(MD)No.19037 of 2021

For Petitioner : Mr.T.Indrachitu,
Advocate.

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

For Intervenor : Mr.V.Rajiv Rufus.
Advocate

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

PRAYER :- For Bail in Crime No.1287 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 09.11.2021 for the offences punishable under Sections 448, 294(b), 323, 326(A) and 506(ii) of IPC, in Crime No.1287 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the wife of the defacto complainant. Because of the matrimonial dispute between the husband and wife, the petitioner poured acid upon the lower portion of the body of the defacto complainant and thereby, caused grievous injuries to him. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is an innocent and she has been falsely implicated in this case. He would further submit that the injuries happened only due to fall in boiling water.

4.The learned counsel for the intervenor appearing for the defacto complainant would submit that the petitioner poured the acid upon the body of the defacto complainant and he did not fall in boiling water.

5.Whether the injuries caused either by acid or by boiling water. For that purpose, the learned Additional Public Prosecutor was required to produce the discharge summary. It shows that 35% of chemical burn injuries are found over the Thigh and pelvis regions.

6.But, however, the learned counsel for the petitioner is very strong in his argument that the injuries caused only fell in boiling water. But, the Discharge Summary shows that it has been caused by chemical substance. The contention raised by the learned counsel for the petitioner cannot be considered at this stage and it is a matter for consideration during trial.

7.Even though, the petitioner is the wife of the victim and having two children, this is too earlier to consider this bail application. Considering the facts and circumstances and also considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8.Accordingly, this Criminal Original Petition is dismissed.

sd/-
10/12/2021

/ 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 INSPECTOR OF POLICE,
FORT POLICE STATION,
TRICHY CITY.



2. THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
TRICHY.

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

ORDER

IN

CRL OP(MD) No.19037 of 2021

Date :10/12/2021

DSS

MS/JM/SAR-4/22.12.2021/3P.4C