



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.14992 of 2022

Rani

..Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
M-3, Puzhal Police Station,
Chennai District
crime No.513 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.513 of 2022 on the file of the respondent police.

For Petitioner : Mr.D.Magesh

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.05.2022 for the offence punishable under Section 307 of IPC altered into Section 306 of IPC in crime No.513 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 05.05.2022 the petitioner had come from matrimonial home, at that time there was wordy quarrel between the defacto complainant and petitioner since they are not taking care of their children. Hence, the defacto complainant asked the petitioner and her husband to leave the house and enraged by this, the petitioner poured kerosene over her mother. The defacto complainant's wife tried to set fire on herself. But the defacto complainant stopped her. Thereafter, suddenly she set fire on herself, at that time the brother of the petitioner one, Mari tried to save her, thereby he also sustained injuries. Thereafter, both the injured persons died in hospital. Hence, the case.



3. The learned counsel appearing for the petitioner would submit that initially, the defacto complainant stopped the victim from setting fire on herself. However, when the victim went to change her dress, she herself set fire for the best reason known to her. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that on the occurrence day, there was a quarrel between the petitioner and her parents, at that time she poured kerosene on her mother, father and brother. Thereafter, the mother set fire on herself and when the brother tried to save his mother, he also got injury and they were admitted in the hospital. However, both died.

5. The petitioner and her husband had wordy quarrel with regard to non employment. The petitioner went to her parents' house along with her husband. There, again there was wordy quarrel and as such, the parents of the petitioner asked to go to their matrimonial home. Immediately, the petitioner poured kerosene on her mother, brother and father, due to which her mother herself set fire on her own and when another deceased i.e. brother of the petitioner was trying to save his mother, he also got fire and died. The petitioner's husband as well as her father also sustained injury.

6. Considering the above facts and circumstances of the case and also considering the period of incarceration by the petitioner from the date of her arrest i.e. 06.05.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate at Madavaram and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

29/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
MADAVARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
M-3, PUZHAL POLICE STATION,
CHENNAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON (WOMEN), PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. D.MAGESH Advocate on payment of necessary charges
SR.No.10233

CRL OP.14992/2022

Date :29/06/2022

CSK 29/06/2022