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Crl.M.P.No.14722 of 2022 in Crl.A.No.122 of 2022

Crl.M.P.No.14722 of 2022

IN

Crl.A.No.122 of 2022

RESERVED ON : 10.11.2022

PRONOUNCED ON : 16.11.2022

P.N.PRAKASH, J.

AND

RMT.TEEKAA RAMAN, J.

ORDER

P.N.PRAKASH, J.

This is a second petition seeking suspension of sentence and bail by Viruthammal/A-2, the first petition in Crl.M.P.No.3842 of 2022 having been dismissed by this Court on 27.04.2022 by a detailed order.

2. We find no change in the fact situation for grant of bail to the petitioner. However, Mr.R.Sankarasubbu, learned counsel for the petitioner, sought bail on medical grounds and submitted a copy of the medical report dated 13.08.2022, given by the Medical Officer, Special Prison for Women, Vellore, wherein, it is mentioned that Cervical Biopsy and Endometrial Biopsy were taken as the prisoner was tested positive for VIA/VILLI [screening test for Ca Cervix]. Therefore, we directed the prison authorities to submit a medical



report based on the biopsy report and accordingly, the learned Additional Public Prosecutor submitted a medical report dated 17.10.2022, which reads as under :

“Herewith enclosing medical reports of CT3383, Viruthammal Gynaecologist opinion obtained in Government Vellore Medical College Hospital. Biopsy Report – Impression Endometrium – Proliferative, Chronic Endo-Ectocervicitis. Patient was advised medical management for 6 months and was given antibiotics and T-Norethisterone for 6 cycles and advised follow up at Gynaecology OPD after course of antibiotics.”

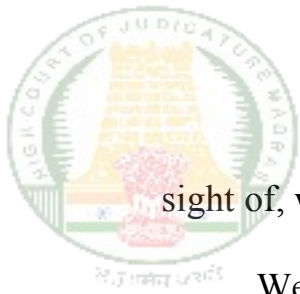
A reading of the above shows that there is no malignancy in the uterus.

3. Mr.Sankarasubbu placed medical literature to show that acute cervicitis may end up in cancer and therefore, this Court should consider granting bail to the petitioner.

4. In response, the learned Additional Public Prosecutor submitted that after the petitioner was released on bail during investigation, she absconded from 23.12.2009 and almost two years later *i.e.*, on 04.12.2011, she appeared.

5. That is the reason why, though the charge sheet was filed in P.R.C.No.15 of 2009 in the Court of the Judicial Magistrate, Uthangarai, the committal Magistrate was unable to commit the case to the Court of Session.

This conduct of the petitioner, in our considered opinion, should not be lost



sight of, while deciding this bail petition.

We are satisfied that the health condition of the petitioner is not so serious that she should be released on bail, as alleged by Mr.Sankarasubbu, especially, when she is being given treatment by the State in the prison hospital as well in the Government Vellore Medical College Hospital. Hence, this petition is dismissed as being devoid of merits.

[P.N.P., J.] [T K R, J.]

16.11.2022

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To

1.The Additional Sessions Judge
Krishnagiri

2.The Inspector of Police
Kalavai Police Station
Krishnagiri District

3.The Public Prosecutor
High Court
Madras



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