



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

Date : 14/03/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.3904 of 2022

Reshma

... Petitioner/Accused
Rank Unknown

Vs

The State Rep. By,
The Inspector of Police,
Gandhi Market Police Station,
Trichy City,
Crime No. 1090/2021.

... Respondent/Complainant

For Petitioner : M/s.Ramsundarvijayraj S,
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.1090 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 01.01.2022 for the offences punishable under Section 174 of Cr.P.C @ Section 302 IPC, in Crime No.1090 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 30.12.2021, the petitioner attacked her mother-in-law with deadly weapons and thereafter, sprayed kerosene on the body of her mother-in-law, opened the gas tube and set fire on the body of her mother-in-law with a match stick. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the daughter-in-law of the deceased, that she is having 2 ½ year old child, that the petitioner has not committed any offence as alleged by the prosecution and that she has been falsely implicated in this case.



4.The learned Government Advocate (Crl. side) would submit that the petitioner had attacked and killed her own mother-in-law. He would further submit that the final opinion is yet to be received with respect to the postmortem conducted on the body of the deceased and that the investigation is almost completed.

WEB COPY

5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 01.01.2022 and also the facts that the petitioner is not having any bad antecedents and that the investigation is almost completed as stated by the learned Government Advocate (Crl.side), this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 No.V, Tiruchirappalli.

(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 stay at Virudhachalam and report before the Inspector of Police, Virudhachalam Town Police Station, Virudhachalam, Cuddalore District daily at 10.30 a.m., for a period of one month and thereafter, 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 / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
14/03/2022

/ TRUE COPY /

/ /2022
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 NO.V,
TIRUCHIRAPPALLI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE OFFICER-INCHARGE,
WOMEN PRISON, GANDHIMARKET, TRICHY.
4. THE INSPECTOR OF POLICE,
GANDHI MARKET POLICE STATION,
TRICHY CITY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO :

THE INSPECTOR OF POLICE,
VIRUDHACHALAM TOWN POLICE STATION,
VIRUDHACHALAM, CUDDALORE DISTRICT.

+1 CC to M/s.S.RAMSUNDARVIJAYARAJ, Advocate (SR-1974[I] dated
14/03/2022)

ORDER
IN
CRL OP(MD) No.3904 of 2022
Date :14/03/2022

USK/PN/SAR-IV/14.03.2022/3P/8C