



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/06/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.10942 of 2022

Jeyalakshmi

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
(Crime No.72 of 2022).

... Respondent/Complainant

For Petitioner : Mr.D.RAMESHKUMAR,
Advocate.

For Respondent : Mr.R.MEENAKSHI SUNDARAM
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.72 of 2022 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 22.04.2022 for the offences punishable under Sections 294(b) and 307 IPC altered into Sections 294(b), 307 and 302 IPC, in Crime No.72 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that when the petitioner's daughter, namely, Sathya was working at a private hospital in Chennai, she had developed love affair with one unknown person. During the course of leave, she came to her native and at that time, the petitioner questioned about the love affair, for which, a wordy quarrel arose between them. As a result, the petitioner assaulted her by using wooden log, due to that, the said Sathya sustained head injury and died later. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and she has not committed any offence as alleged by the prosecution.

4.Admittedly, the petitioner is the mother of the deceased.



5.No doubt, the petitioner's earlier bail application was dismissed by this Court dated 07.06.2022 on the ground that the investigation is pending.

6.The learned Additional Public Prosecutor would submit that the investigation is almost completed except the receipt of chemical report and that the petitioner is not having any previous case.

7.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 22.04.2022 and also the facts that the investigation is almost completed except the receipt of chemical report as stated by the learned Additional Public Prosecutor and that the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner subject to the following conditions:

8.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, Aranthangi, Pudukkottai 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;

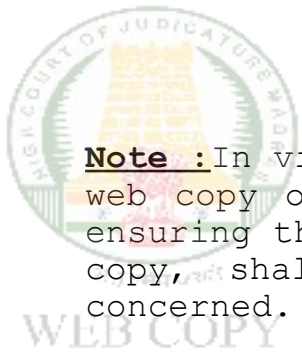
(v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down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

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

sd/-
21/06/2022

/ TRUE COPY /

21/06/2022
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
ARANTHANGI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE OFFICER INCHARGE
SPECIAL PRISON FOR WOMEN, TRICHY.
- 4 THE INSPECTOR OF POLICE,
NAGUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.10942 of 2022

Date :21/06/2022

SA/VR/SAR.2/21.06.2022/3P/6C