



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.07.2022

PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD). No.12204 of 2022

Mydeen Pathu

... Petitioner/ Accused Rank Not Known

Vs

The State represented by
The Inspector of Police,
Courtallam Police Station,
Courtallam,
Tenkasi District.
(Crime No.177 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Palani Velayutham,
Advocate.

For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor.

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

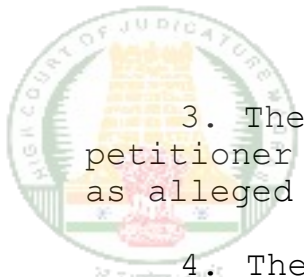
PRAYER :-For Bail in Crime No.177 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 12.05.2022 for the offences punishable under Sections 120(b) and 302 IPC altered into Sections 120(b), 302 and 212 IPC, in Crime No.177 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are the daughters of the deceased. Due to property dispute between the petitioner and the deceased, the petitioner and her husband have conspired together and hired one Sekar. The said Sekar hired another two others in order to kill the deceased. As per the FIR, the petitioner's husband identified the deceased/uncle to the other accused on 01.05.2022, thereafter, the accused committed murder and asked this petitioner's husband to pay the money.

<https://www.mhc.tn.gov.in/judis>



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

4. The learned counsel for the petitioner would further submit that the first accused is the main accused, that since the petitioner being the wife of the first accused, she has been falsely implicated, that two daughters of the deceased were made as accused at the instance of the third daughter of the deceased, that there was no overt act alleged against the petitioner and that the defacto complainant in order to get more property of the deceased, has lodged the above complaint.

5. The learned Additional Public Prosecutor would submit that the petitioner, who is the daughter of the deceased, along with other accused had hired hirelings and killed her father and that investigation is pending.

6. Considering the above facts and circumstances and also the seriousness and gravity of the offence alleged against the petitioner and also the facts that investigation is not yet completed and that there is no change in circumstances, since the dismissal of the earlier petition, this Court is not inclined to grant bail to the petitioner at this point of time.

7. In the result, this Criminal Original Petition is dismissed.

sd/-

15/07/2022

/ TRUE COPY /

/07/2022

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 INSPECTOR OF POLICE
COURTALLAM POLICE STATION, COURTALLAM, TENKASI DISTRICT
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.12204 of 2022

Date :15/07/2022