



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

Date : 21/07/2022

PRESENT

WEB COPY

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL OP(MD) . No.13155 of 2022

M.Chitra

... Petitioner/Sole Accused

Vs

The State Rep. By,  
The Inspector of Police,  
Thirupparankundram Police Station,  
Madurai District.  
Crime No.228 of 2022.

... Respondent/Complainant

For Petitioner : MR.Kumaravel K,  
Advocate.

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor (Crl.side)

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

PRAYER :-

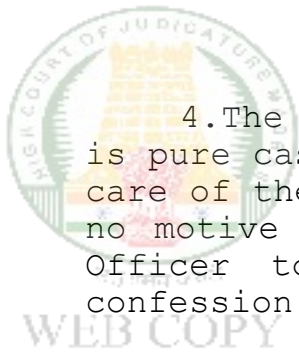
For Bail in Crime No.228 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Section 302 IPC in Crime No.228 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant herself has become the accused. She has stated in the complaint that she was having 3 children. The deceased child was only aged about 38 days and he was sleeping along with other two children. The defacto complainant left the home at about 04.00 pm., to take the children from the school. After 10 minutes, she returned to the house and was found that the deceased child was missing. On search, the neighbour, namely Thilaga has taken the child stating that he was found in the sintex water tank. The child was taken to the hospital, where it was declared dead.

3.Based upon the aforesaid complaint, the case has been registered and during the course of investigation, the involvement of this petitioner came to light. She was arrested and remanded to judicial custody.



4.The learned counsel for the petitioner would submit it is pure case of suspicious death and this petitioner was also taking care of the deceased child like the other child. Absolutely there is no motive and no material has been collected by the Investigation Officer to connect the petitioner with the crime, except her confession statement.

5.The learned Additional Public Prosecutor (Crl.side) for the respondent submits that there was continuous trouble from the husband, whenever the child are crying and became sick. Only to get away from the aforesaid situation, the offence said to have been committed by the petitioner.

6.Of course, it is a matter for investigation, after the occurrence, the conduct of the petitioner must be taken into account. So, taking into the conduct of the petitioner subsequent to the aforesaid occurrence and considering the fact that the investigation has not been completed, the petitioner is not entitled for bail.

7.This Criminal Original Petition is dismissed, accordingly.

sd/-

21/07/2022

/ 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,  
THIRUPPARANKUNDRAM POLICE STATION,  
MADURAI DISTRICT.
2. THE SUPERINTENDENT,  
CENTRAL JAIL (WOMEN), MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.KUMARAVEL, Advocate ( SR-7414[I] dated 21/07/2022 )

ORDER IN

CRL OP(MD) No.13155 of 2022

Date :21/07/2022