



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14058 of 2022

1. Uma

2. Ramamani

... Petitioners/Accused No.1&2

Vs

The State rep.by,
The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District
(Crime No. 1156 of 2020).

... Respondent/Complainant

For Petitioners : Mr.Udhayakumar.R,
Advocate.

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

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

PRAYER :-

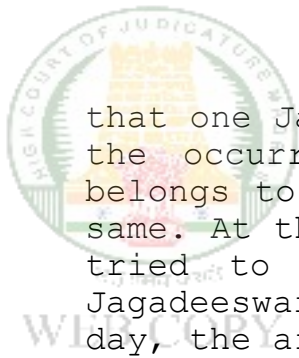
For Bail in Crime No.1156 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 294(b), 352, 324 and 307 IPC @ Section 294(b), 352 and 302 IPC in Crime No.1156 of 2022 on the file of the respondent police.

2.The case of the prosecution in brief is as follows:-

3.The defacto complainant is the deceased. While she was admitted in the hospital with burn injuries, she gave a statement



that one Jagadeeswaran belongs to her village and some days before the occurrence, the aforesaid Jagadeeswaran took a Car, which belongs to the defacto complainant's family and later, returned the same. At that time, there was power cut. The aforesaid Jagadeeswaran tried to misbehave with her. She raised her voice. The said Jagadeeswaran was condemned and warned by her brother. On the next day, the aforesaid Jagadeeswaran committed suicide.

4. On 22.08.2020 at about 01.30 pm., the accused, who are the close relatives of the aforesaid Jagadeeswaran, picked up quarrel stating that she is responsible for the suicide of Jagadeeswaran and they caused assault. She was rescued by her mother. Later, on the same day itself, the accused persons came to her house and poured kerosene and set fire, as a result of which, she sustained burn injury. She was taken to the hospital, where she gave a statement. Dying declaration was also recorded by the learned Judicial Magistrate, Additional Mahila Court, Thanjavore, wherein she has also implicated these petitioners for the injuries. Later, she died in the hospital. So, the case was altered to Section 302 IPC and the investigation was also undertaken.

5. During the course of investigation, by filing one petition after another petition before this Court, the accused persons were evading arrest. At the First Information Report stage, they filed a petition to quash the same, but later, that was also dismissed. After a prolonged period, the accused was arrested and remanded to judicial custody.

6. Now, seeking bail, this petition has been filed on the ground that the occurrence is of the year 2020 and by this time, major portion of the investigation might have been over and they were also taken custody by the police. So, nothing more remained to be investigated. But the manner, in which the offence said to have been committed, seems to be grave in nature and right from the date of occurrence, it appears that the matter has been prolonged and this petitioners were evading arrest. Later, after the dismissal of the aforesaid petition, they surrendered before the concerned Court. If the petitioners are released on bail, there is every likelihood of absconding again. So, they are not entitled for the discretionary relief of bail.

7. This Criminal Original Petition deserves to be dismissed and accordingly, **dismissed**.

sd/-

10/08/2022

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/08/2022

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, 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.

WEB COPY

To

1. The Superintendent,
Central Prison,
Madurai.
2. The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.14058 of 2022

Date :10/08/2022

RK/SVR/SAR-I (18/08/2022) 3P/4C