



WEB COPY



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

Dated: 30/08/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP (MD) No.15078 of 2022

Karthikha

... Petitioner/Accused

Vs.

State rep. By its
The Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
(Crime No.181 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Sivakumar, Advocate

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.181 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as an accused was arrested, on 06/04/2022 and remanded to judicial custody for the alleged offence punishable under section 174 Cr.P.C @ sections 307 and 302 IPC, in Crime No.181 of 2022, seeks bail.

2.The case of the prosecution is that on 06/04/2022 at about 07.30 am, the deceased went for a job as usual. At about 12.30 noon, his wife told him stating that his son is sick. He immediately went to the house. At that time, he found that the above said son was in unconscious state. He was taken to the hospital and he was declared dead by the Medical officer. Based upon the above said occurrence, the case was registered under section 174 Cr.P.C. During the course of investigation, the involvement of the petitioner came to light. So, she was arrested and remanded to judicial custody.



3. Seeking bail, this petition has been filed on the ground that absolutely, there is no intention on the part of the petitioner to cause the death of his son.

WEB COPY

4. The learned Additional Public Prosecutor would submit that from the investigation, it was found that the petitioner is having some illicit intimacy with one Sunilraj and she was having contact with the above said Sunilraj frequently. Later, the above said Sunilraj came to know that this petitioner was already married and got two children. So he tried to disconnect the contact. Since the petitioner was under the impression that the above said Sunilraj has disconnected the contact, because of two children, she intended to poison two children and kill them. In pursuance of the above said intention, she has given poison to two children. But one son was killed. But another escaped from the killing.

5. Perusal of the CD file shows that sufficient materials have been collected to implicate the petitioner into the above said offence. She was arrested and remanded to judicial custody, on 06/04/2022 and ever-since she is in custody. Now the final report has been filed and taken cognizance in PRC No. 24 of 2022 and now the committal proceedings is underway.

6. Even though the petitioner is in custody for more than five months, the gruesome manner and the motive behind the above said offence requires serious view and the petitioner may revive the bail, after the committal process is over before the concerned trial court.

7. With the above said direction, this criminal original petition is **dismissed**. But however, there shall be a direction to the concerned court to complete the committal process within a period of 15 days from the date of receipt of a copy of this order.

Sd/-
30/08/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ER



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.

WEB COPY

TO

1. THE INSPECTOR OF POLICE,
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.
2. THE OFFICER INCHARGE,
SUB JAIL, THUCKALAY.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.15078 of 2022
Date : 30/08/2022

SP/SVR/SAR I/07/09/2022/3P/4C