



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

Dated: 29/08/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.15269 of 2022

WEB COPY

Malaiselvi

: Petitioner/Accused No.4

Vs.

State represented
through the Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.190 of 2022)

: Respondent /Complainant

For Petitioner : Mr.S.M.A.Jinnah, 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.190 of 2022 on the file of the Respondent Police.

ORDER:- The Court made the following order:-

The petitioner, who is the sole accused was arrested and remanded to judicial custody on 24/06/2022 for the offences under section 302, 109, 506(ii) IP)C, in crime No.190 of 2022 on the file of the respondent police and seeks bail.

2.The case of the prosecution is that the de-facto complainant is the father of the deceased and the deceased was married to A4 and they were residing in the upstairs portion of the house. Right from the marriage over which frequently A4 used to pick up quarrel. On the particular day, on 23/06/2022 at about 9.00 am, Arumugam, Ganeshan and Karthi and A4 Malaiselvi damaged the grill gate of the house. When that was sought to be prevented they were criminally intimidated. At that time, A4 told that in the same night, Sudha will be killed. On 23/06/2022 at that time, even at 7.20 pm, when the deceased was standing near the work shop along with the de-facto complainant, the accused Ganeshan and Karthi caused assault with knife. As a result of which, Suresh sustained grievous injuries. At that time, the accused Malaiselvi instigated them stating that as per the instruction by Arumugam they must kill the Suresh. When the assault was sought to be prevented they were criminally intimidated. The injured was taken to the hospital, where he was declared dead. All the accused persons were arrested and remanded to judicial custody.



3.Now seeking bail, A4 namely the wife of the deceased
this petition.

4.Heard both sides.

5.Reading of the CD file and on hearing the respective argument of the learned counsel, it is seen that right from the marriage, some sort of matrimonial dispute arose between the husband and wife. Because of that only, the accused persons namely A2 and A3 came in a two wheeler and accused assault with an intention. The petitioner was not present in the place of occurrence. But however it is stated that at the instance and instigation abetment, the offence was committed.

6.Now the learned counsel appearing for the petitioner would submit that only because of the above said conspiracy the father in law has falsely implicated, this petitioner involved in the above said occurrence; Absolutely, there is no involvement in the murder. But however, on going through the records, it is seen that it is a pre-planned murder also and the involvement of the petitioner and the instigation has also been stated. Now the investigation has not yet completed. If the petitioner is released on bail, there is every likelihood of hampering the investigating process by the accused persons.

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

sd/-

29/08/2022

/ TRUE COPY /

/09/2022

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

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TO

1. THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.

2. THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.15269 of 2022

Date :29/08/2022