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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18309 of 2022

Karthikha

... Petitioner/Sole Accused

Vs

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

... Respondent/Complainant

For Petitioner : M/s.Sreenivasan M.R.,
Advocate.
For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :- For Bail in the petitioner in S.C.No.128/2022 on the file of Additional District Court, Kuzhithurai 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 of 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 7.30 p.m., the deceased went to 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 Medicial 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.This is the second bail petition. Considering the gravity of the offence, earlier application filed by the petitioner in Crl.O.P (MD).No.15078 of 2022 was dismissed on 30.08.2022.

4.The learned counsel for the petitioner submitted that the petitioner's husband is a drunkard and he was not taking care of the petitioner and her children. Out of frustration and depression, the petitioner attempted to commit suicide by consuming poison herself and given poison to her children. Unfortunately she was saved and her son died.

5.The learned Additional Public Prosecutor appearing for the respondent police submitted that the committal process is over.

6.On the earlier occasion, a specific direction was issued to the petitioner that the petitioner may revive the bail application before the concerned trial Court, after the committal process is over. Even then, the petitioner approaching this Court repeatedly.

7.In view of the above, this Criminal Original Petition is dismissed and the petitioner may approach the trial Court for bail.

sd/-

17/10/2022

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/10/2022

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

TO

1 THE ADDITIONAL DISTRICT JUDGE,
KUZHITHURAI.

2 THE OFFICER INCHARGE
SUB JAIL, THUCKALAY.

3 THE INSPECTOR OF POLICE,
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.SREENIVASAN M.R. Advocate SR.No.11510

ORDER IN

CRL OP(MD) No.18309 of 2022
Date :17/10/2022

tta

SA/VR/SAR.1/31.10.2022/2P/6C

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