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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15331 of 2023

Murugayee

... Petitioner/Sole Accused

Vs

State, represented by
The Inspector of Police,
Chinthamanipatty Police Station,
Karur District.
(Crime No.109 of 2023).

... Respondent/Complainant

For Petitioner : Mr.G.Karuppasamy Pandiyan,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.109 of 2023 on the file of the respondent Police
ORDER : The Court made the following order :-

The petitioner/sole accused herein, who was arrested on 18.07.2023 for the alleged
offence under Sections 302 IPC @ 302 and 379 IPC, in Crime No.109 of 2023 on the file
of the respondent Police, seek bail.



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2. The case of the prosecution as per the defacto complainant version is that her father Muthusamy died some year prior to the occurrence. Her maternal grand mother, mother and her brother were living together in Kadavoor Taluk. On 18.07.2023, she was informed that the said Kanniyammal is missing. Later, she was informed that the said Kanniyammal was found dead in their land. On the basis of the above said, the case was registered.

3. During the course of investigation, involvment of this petitioner came to light and so, she was arrested. Seeking bail, this petition has been filed on the ground that there is no eye witness to the above said occurrence, there is no previous enmity between the petitioner and the deceased. She is wrongly implicated in this case.

4. The learned Additional Public Prosecutor would submit that the petitioner alleged to have murdered the deceased and stolen away her ear studs. In pursuance of disclosure statement of the petitioner, the above said property was recovered from her house.

5. The learned counsel for the petitioner would submit that on the earlier occassion, this petitioner received a gold chain from the deceased for using the same during the marriage function. Later, that was pledged by her, over the above said, enmity arose between them. Because of the above said enmity only, the present false case has been foisted.



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6. But for this also, the learned Additional Public Prosecutor would submit that the above said chain was recovered from the Finance Company called Kosamattam Finance Company in pursuance of the disclosure statement made by this petitioner.

7. It is seen that this petitioner alleged to have received the gold chain from the deceased for using, but later pledged the same with Finance Company and borrowed money. Not only that, she alleged to have stolen the ear studs from the deceased.

8. Considering the facts and circumstances of this case, greivous nature of offence and also considering the manner, in which the above said occurrence said to have taken place, this Court is not inclined to grant bail to the petitioner. If the petitioner granted bail, she may abscond and tamper the witnesses and it will hamper the investigation process. Hence, this petition deserves dismissal and accordingly dismissed.

sd/-

04/09/2023

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

INDU

TO

1 THE INSPECTOR OF POLICE
CHINTHAMANIPATTY POLICE STATION,

KARUR



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- 2 THE SUPERINTENDENT,
CENTRAL PRISON(WOMEN CELL), TRICHY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.15331 of 2023
Date :04/09/2023

SS/JGB/19/09/2023/4P/4C

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