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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/01/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.22658 of 2022

Krishnaveni

... Petitioner/Accused No.2

Vs

The state rep.by
The Inspector of Police,
Samyapuram Police Station,
Trichy District.
Cr.No.276/2022.

... Respondent/Complainant

For Petitioner : M/s. Karunakaran.K.M,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

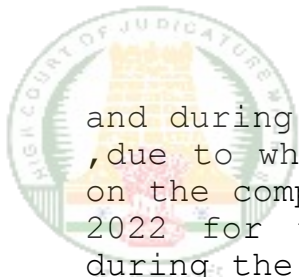
For Anticipatory Bail in Crime No. 276/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2 who apprehends arrest at the hands of the respondent police for the offences punishable under sections 341 and 302 of I.P.C., in Crime No.276 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that his own brother was driver by profession and he has got two children. Two years prior to the occurrence due to covid -19 his wife died and he used to go as a driver for one Bullet Raja and at that time he had developed illicit relationship with Krishnaveni, wife of the said Bullet Raja. While so on 29.10.2022 around 8.15 pm., while his brother had gone to temple the said Bullet Raja and his wife Krishnaveni had quarrelled with the petitioner

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and during such time, the said Bullet Raja had stabbed his wife, due to which he sustained injuries and died on the spot. Based on the complaint given a case has been registered in Crime No.276 of 2022 for the offences under Sections 341 and 302 of IPC. Later during the course of investigation the said Bullet Raja was arrested and he had confessed that there was illicit relationship between his wife and the deceased and the deceased had taken the jewels of his wife and thereby his wife was having enmity with the deceased and thereby on her instigation the accused had engaged other two persons and committed the murder of the victim by stabbing him with knife.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against her. He would further submit that the motive itself is doubtful and that if there had been illicit relationship between the petitioner and the deceased as projected by the prosecution, there cannot be a possibility of the petitioner instigating her husband to commit the murder of deceased. He would further submit that the petitioner has been falsely implicated based on the confession given by the arrested accused namely her husband, hence she seeks bail.

4. The learned Government Advocate(Crl.Side) appearing for the respondent would submit that the petitioner is the second accused and she is the wife of A1. The petitioner had developed illicit relationship with the deceased Chinnarasu who is a driver by profession. During such time, the petitioner had also given her jewels as well as money to the Chinnarasu and he has not returned the same, due to that she brewed grudge against the deceased. Later she had confessed the same with her husband and thereafter her husband along with hirelings have committed the murder of the deceased. He would further submit that the investigation is in preliminary stage and if the petitioner is released on bail, there is the possibility of the petitioner interfering with the investigation.

6. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation is at preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Hence the petition stands dismissed.

sd/-

05/01/2023

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/01/2023

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



TO

1 The Inspector of Police,
Samayapuram Police Station,
Trichy District.

2 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. CC to M/S. KARUNAKARAN.K.M Advocate SR.No.329(I)

ORDER

IN

CRL OP(MD) No.22658 of 2022

Date :05/01/2023

VA/SSS/SAR-2/11.01.2023/3P/4C