

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
PERAMBALUR.**

**Present: Tmt.S. Subadevi, B.A., B.L.,M.B.A.,
Principal District and Sessions Judge,
Perambalur.**

Thursday, this the 11th day of June, 2020.

E. Bail No.137/2020.

Jothi, 30/2020,
W/o.Vengatesan,
D.No.5/27, Ayilur Road,
Siruvachur Post,
Perambalur Tk. & Dt.

... Petitioner/Accused.

-vs-

Represented by the Inspector of Police,
Kunnam P.S.
Cr.No.687/2020.
Offence U/S. 174 Cr.P.C. @ 302 IPC.

... Respondent/Complainant.

* * * * *

This petition coming on this day before me for order in the form of e-bail by Thiruvargal.P.Kamaraj and K.Prabudevan, Advocates for the petitioner and the Public Prosecutor for the State and upon perusing the petition and other records, this Court has delivered the following...

ORDER

This petition has been filed U/s 439 of Cr.P.C. for grant of bail to the petitioner for the offences U/S.174 Cr.P.C. @ 302 IPC.

The learned Counsel for the petitioner stated that the alleged date of occurrence was on 13.05.2020 and initially registered the case U/S.174 and then altered into 302 IPC. The petitioner was remanded on 14.05.2020 and she is the wife of the deceased Vengatesan. The deceased was met with an accident for 4 times and took treatment and he suffered mentally ill and often he quarreled with the petitioner and neighbourhood. The deceased was died due to natural death and she has not committed

the offence and she has 3 female minor children. The earlier two bail applications were dismissed by this Court and that no similar bail petition pending before the Hon'ble Court of Madras hence the petitioner/accused is seeking for bail.

The learned Public Prosecutor stated in his reply and argued that the investigation is almost completed, charge sheet yet to be filed, the property has been handed over to the Court and waiting for legal opinion and strongly opposed for granting bail.

The petitioner's Counsel argued that the occurrence took place on 13.05.2020 and the petitioner was remanded on 14.05.2020. Initially the case has been registered U/S.174 Cr.P.C @ 302 IPC. The deceased met with four accident and took treatment in Thanjavur Medical College Hospital and after that he suffered mentally ill. The natural death was manipulated by the police and case has been registered against the petitioner. Three female children were depending in the age of 18, 15 and 10 respectively by the petitioner. Already the father died and in-laws were also died earlier. Considering the medical report and security of the female children and also charge sheet yet to be filed by the respondent as mentioned in the reply this Court may consider the bail application.

On perusal of the records, the defacto complainant itself has stated that the deceased met with four accident and took treatment in Thanjavur Medical College Hospital later he suffered mentally ill and quarreled between the family members and neighbourhood. On 13.05.2020, the petitioner and daughters were left the matrimonial home and gone to the parents house and on that day, the deceased went to in-laws house, quarreled and assaulted between both parties and given a complaint before the Kunnam Police Station and compromised, both were living in Kunnam. On

12.05.2020, the deceased went to sleep and after he cannot alive. Due to suspicious, the case has been initially registered u/S.174 Cr.P.C. and subsequently altered to 302 IPC. The learned Public Prosecutor also stated that the investigation is almost completed. The three female children in the adulthood age of two female children is 18 and 15 and one child below 10 years and now father is no more and also the mother is judicial custody for more than 28 days. Considering the welfare of the female children and also completed the investigation, no prejudice will cause to the prosecution for granting bail hence this Court granting bail on conditions:

(i) that the petitioner/accused is ordered to be released on bail on executing a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Perambalur,

(ii) that the petitioner/accused shall appear and sign before the respondent police daily morning and evening until further orders,

(iii) that the petitioner/accused shall not, directly or indirectly interfere in the investigation in any way.

Pronounced by me sent through email, this the 11th day of June, 2020.



[Handwritten signature]
11/6/2020

Principal District and Sessions Judge,
Perambalur.

D.No

COPY TO:

1. The Judicial Magistrate No.II, Perambalur. *2410*
2. The Public Prosecutor, Perambalur. *2411*
3. The Inspector of Police, Kunnam P.S. *2412*
4. The Advocate for the petitioner. *2409*

11.6.2020