

In the Court of the Principal District Judge, Madurai.

Present : Tmt.A. Nazeema Banu, B.A., L.L.M.,

Principal District Judge, Madurai.

Tuesday, this the 14th day of July -2020.

Crl.M.P.No.3270/2020

Soundarapandiyan, S/o.Sethupathy

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Melavalavoo P.S. Cr.No.252/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.V.R.Manoharan, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

Order

1. Bail application u/s. 439 of Cr.p.c.
2. The offences alleged are U/s. 302 of IPC.
- 3.Heard.

4. Considered the argument of the both sides. The learned counsel for the petitioner would submit that a case has been registered against the accused in Cr.No.252/2020 of Melavalavoo P.S U/s. 302 of IPC. The petitioner is single accused in this case. He was arrested on 10.5.2020 and he is in judicial custody for the past 66 days. The defacto complainant is the mother of the accused. She gave complaint before the Melavalavoo P.S. stating that her son has murdered her own daughter Sagunthala Devi. There is no eye witness to the occurrence. The deceased married one Mohan Servai and thereafter she deserted Mohan Servai and she was living with one Jegan, further, she was also living with one Rajaprabhu and the character of the deceased is not good. The learned counsel for the petitioner would further submit that the defacto complainant has committed suicide on 19.5.2020 in respect of the same, a case has been registered in Cr.No.262/2020, and prays to grant bail to the petitioner.

5. Per contra, the learned public prosecutor while advancing his argument has stated that on 10.5.2020 one Banumathi has given complaint in this case. She has given complaint before the Melavalavoo P.S. stating that her son

murdered her daughter Sagunthala Devi. The deceased married one Mohan Servai, he went to abroad and deserted her wife, thereafter, she lived in her parental home with two children, a case was pending before the Family Court, for conjugal rights. In the meantime, one Jegan, who is the relative of the deceased accompanied her and both were living at Thiruppur. The petitioner did not like the deceased was living with the said Jegan and they were returned from Thiruppur to Kancharampettai and on the date of occurrence, the defacto complainant has gone to her relative's house, knowing the fact that the deceased was alone in the house, the petitioner came to the house where Sagunthala Devi was staying and he beat her indiscriminately with Aruval and she died on the spot. Further, the learned public prosecutor would submit that it is very pathetic condition that a brother has murdered his own sister and therefore, mother of the deceased as well as the petitioner given complaint before the police station and she also committed suicide and raised strong objection in granting bail to the petitioner. Considering the gravity of offence and there is no change in circumstances after the dismissal of the earlier bail applications, this Court is not inclined to grant bail to the Petitioner at this stage.

6. In the result, the bail Petition is dismissed.

Pronounced by me in Camp Court on the 14th day of July -2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

Copy to

1. The Judicial Magistrate concerned.