

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Fifteenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.5290 of 2017

VENMATHI,

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
V-6, KOLATHUR POLICE STATION,
KOLATHUR, CHENNAI 600 099
CR.NO.359 OF 2017.

For Petitioner : M/S.K.BALASUBRAMANIAM Advocate

For Respondent : MR.R.SEKAR, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

Heard both sides.

2. The petitioner, who apprehends arrest at the hands of the respondent police for offence punishable under Section 294(b), 323, 506(i) IPC and Section 4 of TNPHW Act, 1998 in Crime No.359 of 2017 on the file of the respondent police, has filed this petition, seeking anticipatory bail.

3. The case of the prosecution is that the petitioner/A2 and her husband A1 are medical practitioners and residing in a portion of the defacto complainant's house. whileso, defacto complainant all of a sudden asked the petitioner to vacate the house immediately. When the petitioner requested to grant time for searching of alternate house, the defacto complainant made a complaint with the respondent police foisted with false allegations.

4. The learned counsel for the petitioner submitted that the petitioner-A2 and her husband-A1 were medical practitioners in Chennai. A2 was arrested and released on bail. Learned counsel further submitted that the petitioner is an innocent person and no way connected with this offence and she has been falsely implicated in this case.

5. The learned Government Advocate (CrI.Side) submitted that the dispute is between the landlord and tenant and based on

the compliant given by the defacto complainant a case was registered in Cr.No.359 of 2017 on the file of the respondent police and investigations are pending.

6. Considering the facts and circumstances of the case and considering the fact that petitioner is a medical practitioner, this Court is of the opinion that there is no need for custodial interrogation in this case. Hence, this Court is inclined to entertain this petition.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Magistrate concerned within a period of 10 days from the date of receipt of a copy of this order, subject to the following conditions :-

(i) The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the learned Additional Mahila Court, Allikulam, Chennai or to the satisfaction of the respondent police or the police officer who intends to arrest and

(ii) The petitioner shall report before the respondent police as and when required for interrogation.

-sd/-

15/03/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL MAHIL COURT
ALLIKULAM, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
V-6, KOLATHUR POLICE STATION,
KOLATHUR, CHENNAI 600 099

+1 CC to M/S.K.BALASUBRAMANIAM Advocate on payment of necessary charges SR.NO. 4898

CRL OP.5290/2017

Date :15/03/2017

RD 20/03/2017