

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Saturday, the Twenty Eighth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL ORIGINAL PETITION No.10656 of 2018

and CRL.MP.NO.6018/2018

H.RAZIYA,

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
D-3, ICE HOUSE POLICE STATION,
MYLAPORE, CHENNAI.
CR.NO.674 OF 2017.

K.POONGOTHAI

[PETITIONER/INTERVENOR]

(AS PER ORDER OF THIS COURT DATED 28/04/2018 MADE IN CRL.MP.6018/2018
IN CR.OP.10656/2018)

For Petitioner : M/S.R.GANESH KUMAR Advocate

For Respondent : MR. T.SHANMUGA RAJESWARAN, Govt. Advocate (Crl.
Side)

For INTERVENOR : M/S.N.S.SIVAKUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC in Crime No.674 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is arrayed as A.1 and her husband is arrayed as A.2 and they have collected chit amount in the name of KSD Deepavali Fund and in the chit transaction, the de facto complainant and 17 others have paid 33 instalments at the rate of Rs.2,000 per month each and totally paid a sum of Rs.7,92,000/- and after collecting the said amount, the accused alleged to have been cheated the amount.

3. The learned Government Advocate submitted that a case was registered in Crime No.674 of 2017 based upon the complaint given by the de facto complainant and 17 others.

4. Learned counsel appearing for petitioner submitted that the

petitioner's husband, who is A.2 in this case, has been granted interim bail by the Lower Court. It is further submitted that the petitioner herein has recently given birth to a baby which is eight weeks old in a remote Village without medical assistance and accordingly, prayed for grant of anticipatory bail to the petitioner.

5. Learned counsel appearing for the intervenor submitted that the intervenor has joined two chits and the matter is now referred to National Lok Adalat for settlement.

6. Considering the fact that the petitioner is a lady and she has got eight weeks old baby and also taking note of the medical records filed about the health of the baby and the co-accused/petitioner's husband has been granted interim bail, the respondent police is directed not to arrest the petitioner for a period of six weeks from the date of receipt of a copy of this order and it is open to the petitioner to move necessary application thereafter depending upon the stage of the investigation and the health conditions of the petitioner's newly delivered baby.

7. With the above observations, this Criminal Original Petition is disposed of.

-sd/-
28/04/2018

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 INSPECTOR OF POLICE,
D-3, ICE HOUSE POLICE STATION,
MYLAPORE, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.GANESH KUMAR Advocate on payment of necessary charges-Sr.8662

+1 CC to M/S.N.S.SIVAKUMAR, Advocate on payment of necessary charges-Sr.8653

CRL OP.10656/2018
and CRL.MP.NO.6018/2018

Date :28/04/2018

THS : 28.04.2018