

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Second day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL ORIGINAL PETITION No.16541 of 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.

For Petitioner : M/S.M.CHANDRASEKARAN Advocate

For Respondent : MR.R.SURYA PRAKASH Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 406, 420 of I.P.C in Cr.No.674 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2. Heard both sides.

3. The learned counsel for the petitioner submitted that the A1-husband was granted bail by the XIII Metropolitan Magistrate, Egmore, Chennai in Crl.M.P.No.1671 of 2018 on 05.04.2018.

4. Heard both sides and perused the records.

5. Considering the health condition of the petitioner's baby which is now five months old and also taking note of the fact that the co-accused has been granted bail, this Court is inclined to grant anticipatory bail to the petitioner 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 like sum to the satisfaction of the respondent-Police or the Police Officer who intends to arrest or to the satisfaction of the XIII Metropolitan Magistrate, Egmore, (Allikulam), Chennai or the Magistrate concerned;

(ii) the petitioner shall report before the respondent-Police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) Upon breach of any of the aforesaid conditions, the Magistrate Court is entitled to take appropriate action against the petitioner in accordance with law, as if the conditions have been imposed and the petitioner released on bail by the Magistrate himself/Trial Court itself, as laid down by the Supreme Court in the case of P.K.Shaji Vs. State of Kerala (AIR 2005 SCW 5560).

(vi) If the petitioner absconds, a fresh FIR can be registered against him/her under Section 229-A IPC.

-sd/-

02/07/2018

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 METROPOLITAN MAGISTRATE,  
NO.XIII,EGMORE, [ALLIKULAM],CHENNAI

2 THE CHIEF METROPOLITAN  
MAGISTRATE,EGMORE[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

+1 CC to M/S.M.CHANDRASEKARAN Advocate on payment of necessary charges SR.NO. 12021

CRL OP.16541/2018

RD 03/07/2018

Date :02/07/2018