

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Third day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.16948 of 2018

CHINNAMMAL

[PETITIONER / ACCUSED]

Vs

1 STATE REP BY
THE INSPECTOR OF POLICE,
KILPAUK POLICE STATION,
KILPAUK, CHENNAI-10.

[RESPONDENTS]

2 THE INSPECTOR OF POLICE,
MAHESHTALA POLICE STATION,
JAGTALA, BUDGE BUDGE, KOKATA,
WEST BENGAL-700 104,
CR.NO.206 OF 2018.

For Petitioner : M/S.S.MADHUSUDANAN Advocate

For Respondent : MR. M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner seeks Interstate anticipatory bail in Crime No.206 of 2018 registered by the second respondent for the offence under Sections 376, 417, 420 and 120(b) of IPC.

2. The case of the prosecution as per the defacto complainant is that the petitioner conspired with her son, received a sum of Rs.25,00,000/- from her and thereafter, cheated her.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would further submit that due to money dispute between the petitioner's son and the defacto complainant, a false complaint has been given against the petitioner and she has nothing to do with the said allegation. He further submitted that even though the petitioner is residing at Chennai, she has been falsely implicated in this case, which was registered within jurisdiction of West Bengal. Pursuant to the case registered by the second respondent, she is apprehending arrest by both the respondents and hence, prayed that Interstate Anticipatory bail may be granted to her to enable him to move the appropriate jurisdictional court in West Bengal for necessary relief.

4. The learned Additional Public Prosecutor appearing for the first respondent would submit that as stated in the petition, a case in Crime No.206 of 2018 has been registered by the Inspector of Police, Maheshtala Police Station, Jagtala, Budge Budge, Kolkata, West Bengal-700 140 for the offence under Sections 376, 417, 420 and 120(b) of IPC and the first respondent has no intention to arrest the petitioner in the said case. However, he would submit that the petitioner may seek appropriate relief by filing proper petition before the appropriate jurisdictional Court in West Bengal.

5. Taking into consideration the submissions made by the learned counsel appearing for the petitioner, this Court is inclined to grant Interstate interim anticipatory bail to the petitioner for a period of Four Weeks from today to enable her to move the appropriate Court in West Bengal.

6. Accordingly, Interstate interim anticipatory bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall surrender before the learned Chief Metropolitan Magistrate, Allikulam, Egmore, Chennai, within 15 days from the date of receipt of copy of this order;

(ii) On such surrender, the petitioner shall be enlarged on bail on condition that she shall execute a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the said Magistrate.

(iii) In the event of failure to surrender within 15 days the order granting Interstate interim anticipatory bail stands cancelled automatically.

(iv) Within two weeks of such surrender before the above said Magistrate, the petitioner shall approach the appropriate jurisdictional Courts in West Bengal and seek appropriate relief.

-sd/-
03/07/2018

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 CHIEF METROPOLITAN
MAGISTRATE, ALLIKULAM,
EGMORE, CHENNAI.

2 THE INSPECTOR OF POLICE,
MAHESHTALA POLICE STATION,
JAGTALA, BUDGE BUDGE, KOKATA,
WEST BENGAL-700 104.

3 THE INSPECTOR OF POLICE,
KILPAUK POLICE STATION,
KILPAUK, CHENNAI-10.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.MADHUSUDANAN Advocate on payment of necessary
charges

CRL OP.16948/2018

Date :03/07/2018

MLT-11/07/2018