

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Fourth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N.KIRUBAKARAN

AND

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL ORIGINAL PETITION No.16885 of 2018 & 11576 OF 2019

DOWLATH BEGUM

[PETITIONER / ACCUSED
IN CRL.OP.NO.16885/2018 & 15766/2019]

Vs

1 STATE REP. BY [RESPONDENT IN BOTH THE PETITIONS]
THE INSPECTOR OF POLICE,
T-13, KUNDRATHUR POLICE STATION,
CHENNAI.
CR. NO. 647 OF 2016.

For Petitioner : MR.B.M.SENTHARAM FOR
M/S.S.MOHAMED ANSAR Advocate[IN BOTH THE PETITIONS]

For Respondent : MR.C.RAGHAVAN Govt. Advocate (Crl. Side)
[IN BOTH THE PEITITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(Order of the Court was made by **N.KIRUBAKARAN, J.**)

In the double murder case, the second respondent, who is an accused of the offences under Sections 120(b) r/w 449, 302 (2 counts) and 307 (2 counts), 404, 380, 414 r/w 109 IPC turned approver and after enjoying the benefits of an approver, while giving evidence, she turned hostile. Therefore, an application under Section 308 of Criminal Procedure Code has been filed to prosecute the approver for which sanction is necessary from this Court.

2.It is evident from the order dated 05.10.2018 passed by the learned Sessions Judge, Mahila Court, Chengalpattu that a petition has been filed by the Inspector of Police and the accused were shown as respondents. Therefore, to ascertain as to whether sanction could be granted in absentia of the accused or notice should be given to the accused for providing an opportunity to the accused and thereafter, sanction could be ordered, this Court appoints Mr.G.Ravikumar, learned Counsel who is practising in this Court for the purpose of appearing on behalf of the accused before the Court as an amicus curiae.

3.Call the matter on 15.10.2019.

-sd/-
24/09/2019

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 SESSIONS JUDGE,
MAHILA COURT, CHENGALPATTU

2 THE INSPECTOR OF POLICE,
T-13, KUNDRATHUR POLICE STATION,
CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
SPECIAL PRISON, PUZHAI-III,
CHENNAI

5 MR.G.RAVIKUMAR,
AMICUS CURIAE.

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

CRL OP.16885/2018 & 11576/2019

Date :24/09/2019

RD 27/09/2019

WEB COPY