

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2020

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Crl.OP.No.8715 of 2020

and Crl.MP.No.5018 of 2020

R.Gowsar Begum

...Petitioner

Vs.

State rep.by

...Respondents

The Inspector of Police,
Central Crime Branch, (EDF-1 Team)
Egmore, Chennai 600 104.
(Crime No.351 of 2014)

PRAYER: Criminal Original Petition filed under Section 438 Cr.P.C, to enlarge the petitioner on Anticipatory Bail in the event of her arrest by the respondent police in pending trial in C.C.No.1411 of 2020 on the file of the Hon'ble Chief Metropolitan Magistrate Court, Egmore.

For Petitioner : Mr.C.Arivazhagan

For Respondent : M/s.Krithika Kamal
Government Advocate (Crl.Side)

For Intervenor : Mr.A.Ilayaperumal

ORDER

This Criminal Original petition has been filed by the accused No.2 seeking anticipatory bail for the alleged offences under Sections 406, 409, 420, 468, 471, r/w 120-B of IPC.

2. The learned counsel for the petitioner has submitted that since the petitioner happens to be the wife of the accused No.1, she has been falsely implicated in the above case. He further submitted that already investigation has been completed and charge sheet has also been filed showing the petitioner herein as absconding and based on the same, the case was taken on file in C.C.No.1411 of 2020 on the file of the Chief Metropolitan Magistrate, Egmore. He further submitted that the learned Chief Metropolitan Magistrate, Egmore after taking the case on file has issued summons to the petitioner herein. He further submitted that the petitioner apprehends that since the respondent has filed charge sheet by showing the petitioner is absconding, the

respondent may arrest the petitioner at any time. Therefore, he prayed to grant anticipatory bail to the petitioner.

3. Per contra, the learned Government Advocate (Crl.Side) has submitted that since only summons has been issued by the trial court, the petitioner can very well appear before the trial court and there is no apprehension of arrest and therefore she prayed to dismiss this petition.

4. The learned counsel for the intervenor has opposed this petition as the petitioner also actively participated in crime.

5. Admittedly, the learned Chief Metropolitan Magistrate, Egmore, has issued only summons to the petitioner and as such, there is no apprehension of arrest and therefore this petition has to be dismissed.

6. In the result, this Criminal Original petition is dismissed. Consequently, connected miscellaneous petition is closed.

-sd/-

16/10/2020

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, EGMORE, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, (EDF-1 TEAM),
EGMORE, CHENNAI-600 104

CC to M/S.D.MEENAKSHI SUNDARAM Advocate on payment of
necessary charges

+1 CC to M/S.A.ILAYAPERUMAL, Advocate on payment of necessary
charges SR.NO.6961

CRL OP.8715/2020
and Crl.MP.No.5018 of 2020

Date :16/10/2020

TA-02/11/2020

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