



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Third day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.16065 of 2016

1 S. GOPINATH
2 G. SIVAGNANAM PILLAI
3 MANJULA
4 A.S. VASANTHA KUMAR ... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION (SOUTH)
MADURAI.
(CRIME NO. NOT KNOWN /2016)... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.MAHENDRAN Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 498-A, 294(b) and 506(ii) IPC in Crime No.not known of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel on either side.

3. It is seen that on 30.08.2016, this Court had granted interim anticipatory bail to the petitioners, which was subsequently extended consecutively.

4. Learned Government Advocate (Crl.Side) would submit that it is a matrimonial dispute and the petitioners are alleged to have demanded more dowry from the defacto complainant and also abused her in filthy language. He would further submit that the petitioners have complied with the conditions imposed by this Court, while granting interim anticipatory bail.



5. Learned counsel for the petitioners would submit that the 1st petitioner / husband of the defacto complainant has returned the jewels to the defacto complainant and he is having only 7 sovereigns of gold with him and he is ready to return the same also, which is disputed by the Intervenor. Apart from the above, it is further submitted that the 1st petitioner is ready to give Rs.5000/- as monthly maintenance to his wife and children.

6. It is seen that matrimonial issue is pending before the Family Court in HMOP 583 of 2016 and that the couple has children. Considering the fact that the petitioners have complied with the conditions imposed by this Court, the interim anticipatory bail already granted by this Court is made absolute with the following conditions:

i) the 1st petitioner shall return the 7 sovereigns of jewel to the defacto complainant within 10 days from today in the presence of the respondent police;

ii) the petitioners shall report before the respondent police on all Sundays at 10:30am until further orders;

iii) As agreed by the 1st petitioner, he shall pay Rs.5,000/- per month as monthly interim maintenance to his wife and children without prejudice to the rights of both parties.

sd/-

23/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.O.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION (SOUTH)
MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S P.MAHENDRAN Advocate SR.No.72005

+1 CC to M/S N.PADMABOOPATHI, Advocate SR No.72563

ORDER IN

CRL OP(MD) No.16065 of 2016

Date :23/11/2016