



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

Tuesday, the Eighteenth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.9825 of 2016

1 K.KRISHNAMURTHY
2 K.KARTHIGAI RANI
3 K.ENGELES @ KALYANASUNDARAM
4 ANITHA DEVI

... PETITIONERS/ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM,MADURAI,
CR NO NOT KNOWN OF 2016.

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.K.PRABHU, ADVOCATE FOR
MR.D.SELVANAYAGAM, ADVOCATE

FOR RESPONDENT : MR.K.V.RAJARAJAN, Government Advocate(Crl.side)

FOR INTERVENOR : MR.G.THALAIMUTHARASU, ADVOCATE

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

ORDER : The Court Made the following order :-

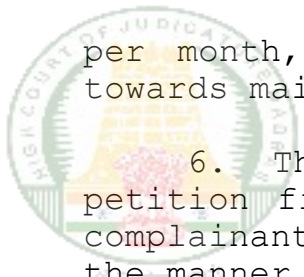
Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 506(ii) IPC, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent police.

3. It is seen that the case relates to matrimonial dispute and on 26.09.2016, this Court had granted anticipatory bail to the petitioners 1, 2 and 4 and interim anticipatory bail to the 3rd petitioner.

4. Learned Government Advocate (Crl.Side) would submit that the 3rd petitioner has complied with the conditions imposed by this Court.

5. Learned counsel appearing for the Intervenor would submit that even though the 3rd petitioner is drawing a sum of Rs.7,50,000/-



per month, he has not paid any amount to his wife and children towards maintenance.

6. This Court cannot go into the question of maintenance in a petition filed under Section 438 Cr.P.C and it is for the defacto complainant to work out her remedy before the appropriate forum in the manner known to law for claiming maintenance.

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7. However, learned counsel for the petitioners has fairly submitted that the 3rd petitioner is willing to pay a sum of Rs.15,000/- per month to the wife from this month onwards.

8. Considering the fact that the 3rd petitioner has complied with the conditions imposed by this Court, the interim anticipatory bail already granted by this Court is made absolute. Once a charge sheet is filed, the Trial Court shall take up the matter and proceed with the trial on day to-day basis without adjourning the case beyond 10 working days at any point of time.

9. As promised by the 3rd petitioner, he shall pay the monthly maintenance of Rs.15,000/- to his wife on or before 27th of this month and for the succeeding months, i.e., from November onwards, he shall make the payment on or before 5th of every month without fail.

sd/-
18/10/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AR
TO

1 THE ADDITIONAL MAHILA COURT, MADURAI.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM, MADURAI.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S D.SELVANAYAGAM, Advocate SR.No.61146
+1. CC to M/S G.THALAIMUTHARASU, Advocate SR.No.61186

GJM/GSV/PM/SAR-I-24.10.16-2P-6C

ORDER
IN
CRL OP(MD) No.9825 of 2016
Date :18/10/2016