



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

Monday, the Second day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.4888 of 2018

1 DR. PRAGADEESH
2 MAYA THEVAR
3 THILAGAVATHI

... PETITIONERS / ACCUSED
Rank Not Known

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI.

CR.NO. NOT KNOWN OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.MISS.A.HAFIZA Advocate

For Respondent : Mr.A.P.G.OHM CHAIRMA PRABU
Govt. Advocate (Crl. Side)

For Intervenor : MR.S.JEYAKUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 354, 323 and 506(1) IPC r/w 120(b) in Crime No.Not Known of 2018 on the file of the respondent police, seek anticipatory bail.

2.The first petitioner is the husband. The second and third petitioners are in-laws. The first petitioner originally filed HMOP.No.95 of 2015 seeking restitution of conjugal rights. The same was subsequently dismissed as not pressed. Thereafter, he filed HMOP.No.60 of 2017 seeking divorce. The same is still pending. The defacto complainant in this case has also filed M.C.No.90 of 2015 under Divorce Act before the Additional Mahila Court, Madurai. She has also lodged Crime No.4 of 2017 on the file of AWPS, Samayanallur.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned counsel appearing for the defacto



complainant/intervenor submitted that he has already filed intervene petition. But, the same is yet to be listed and sought time. But, this Court decided to hear this O.P by permitting the intervenor to make his submissions. Accordingly, the learned counsel for the intervenor made his submission and this Court passed the following order only after hearing his objection opposing the grant of anticipatory bail to the petitioners.

5.Taking note of the above said facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, No.VI, Madurai and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

02/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI

3 THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION, MADURAI.

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

+1. CC to M/S.MISS.A.HAFIZA Advocate SR.No.5194

+1 CC TO Mr.S.JEYAKUMAR , Advocate, Sr.No. 5201

SKM

JAM/04/04/2018/ PN / SAR 4 / 2P-7C

ORDER IN

CRL OP(MD) No.4888 of 2018

Date :02/04/2018