



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

Tuesday, the Thirtieth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.19346 of 2018

AUTO FERNAND

... PETITIONER/ACCUSED No.4

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THOOTHUKUDI.
CRIME NO.16 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioner : MR.G.PRABHU RAJADURAI, Advocate

For Respondent : MRS.M.ANANTHA DEVI, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 294(b), 506(i), 494, 511 I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.16 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the first accused married the defacto complainant at Thoothukudi on 26.10.2015. The 1st accused is an Engineering Graduate and is working in Qatar. The 2nd accused is the father and the 3rd accused is the mother of the 1st accused. The above said persons though belong to Thoothukudi, permanently residing at Kolkata as the 2nd accused was working with SE Railways. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that after the marriage the first accused took the defacto complainant to Qatar. Thereafter, the defacto complainant was pregnant. Due to that she returned to India. On 06.07.2017, a girl baby was born and that the first accused went to Thoothukudi to see the child, but the parents of the defacto complainant refused to allow him. Later, the defacto complainant made a false complaint to an India Company at Qatar as if the first accused did not visit her child. Hence, he prays for anticipatory bail to the petitioners.



4.The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is pending.

5.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Thoothukudi 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 petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6.The petitioner 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/-
30/10/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THOOTHUKUDI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.G.PRABHU RAJADURAI, Advocate SR.No.20755

ORDER
IN
CRL OP(MD) No.19346 of 2018
Date :30/10/2018

MSA

PK/PR/SAB-2/08.11.2018 : 2P/6C
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