

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2019

PRESENT

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

CRL OP(MD) . No.10677 of 2019

Mohamed Ashiek

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Madurai Town,
Madurai.
In Crime No.1/2019.

.... Respondent/Complainant

For Petitioner : M/s.M.Jegadeesh Pandian,
Advocate.

For Respondent : A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Cr.No.1/2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent for the offences under Sections 498(A) and 323 of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.1 of 2019, seeks anticipatory bail.

2.The petitioner got married to the defacto complainant in the year 2016. The petitioner has filed O.S.No.10 of 2017, on the file of the Family Court, Madurai, seeking divorce. The FIR in question was registered only in February 2019. The petitioner's counsel states that the petitioner would pay a sum of Rs.3,000/- as monthly maintenance for his son. He undertakes to deposit the said sum to the credit of O.S.No.10 of 2017, on the file of the Family Court, Madurai, from October 2019 onwards. It is only an interim

arrangement and this will be abide by subject to any order passed by the jurisdictional Court in any petition to be filed by the defacto complainant for the benefit of the minor child. Subject to this condition, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Additional Mahila Court, 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 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.

3.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/-
04/09/2019

/ TRUE COPY /

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

TO

- 1.THE ADDITIONAL MAHILA JUDGE, MADURAI
- 2.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MADURAI TOWN,
MADURAI
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.14779

ORDER
IN

CRL OP(MD) No.10677 of 2019
Date :04/09/2019

ias

PK/JC/SAR-2/13.09.2019 : 2P/5C