



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

Date : 17/09/2019

PRESENT

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

CRL OP(MD). No.12572 of 2019

Shek Abdulla ... Petitioner/1st Accused

Vs

The State rep. by
The Inspector of Police,
All Women Police Station, Thallakulam,
Madurai District in Crime No.14 of 2019. ... Respondent/Complainant

For Petitioner : M/s. I. Saliyakhan,
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 Crime No.14 of 2019 on the file of the
Respondent police

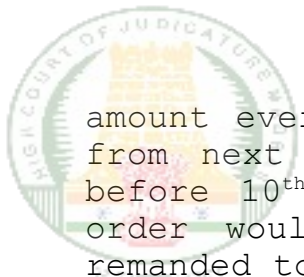
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate (Crl. Side) appearing for the
respondent.

2. The petitioner apprehending arrest at the hands of the
respondent police for the offences under sections 498(A), 406 and
506(i) of I.P.C., in Crime No.14 of 2019, on the file of the
respondent police, seeks anticipatory bail.

3. The petitioner got married to the defacto complainant in the
year 2016. A child was also born through the wedlock. The specific
allegation of the defacto complainant is that she was physically
tortured and that her articles are still with the petitioner. It is
open to the defacto complainant to file an proper petition under the
provision of the Protection of Women from Domestic Violence Act and
get relief in this regard.

4.The petitioner's counsel on instruction gives an undertaking
that the petitioner will deposit a sum of Rs.5,000/- as monthly
maintenance for the child. It is for the petitioner to get the bank
account details of the defacto complainant and deposit the said



amount every month. The liability of the petitioner will commence from next month onwards. The amount will have to be deposited before 10th of every month. If this condition is breached, this order would stand cancelled and the petitioner will be remanded to judicial custody. It is only an arrangement and this is without prejudice to the rights of the defacto complainant to claim higher amount before the jurisdictional Court. This order will abide by any final order that may be passed by the jurisdictional Civil Court or Family Court.

5. Recording the undertaking of the petitioner, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned Additional Mahila Court, Madurai, and on her 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 Court 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 Court 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/-
17/09/2019

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

TO

1. THE ADDITIONAL MAHILA COURT, MADURAI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THALLAKULAM, MADURAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.I.SALIYAKHAN, Advocate (SR-15705[I] dated 18/09/2019)

ORDER
IN
CRL OP(MD) No.12572 of 2019
Date :17/09/2019