



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

Date : 18/09/2019

PRESENT

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

CRL OP(MD) . No.13079 of 2019

M. Vansanthan Babu

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Karikudi All Women Police Station,
Sivagangai District.
(In Crime No.04 of 2019).

... Respondent/Complainant

For Petitioner : M/s. M.E. Ilango,
Advocate.

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

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

PRAYER :-

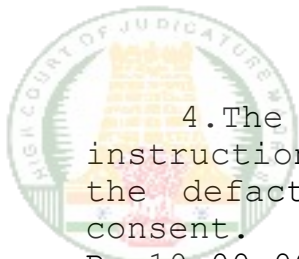
For Anticipatory Bail in Crime No.04 of 2019 on the file of
the respondent

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 is figuring as A1 in Crime No.4 of 2019, on
the file of the respondent police, for the offences under Sections
498(A), 406 and 506(i) of I.P.C.

3.The petitioner got married to the defacto complainant in the
year 2013. A male child was born through the wedlock. The
relationship between the parties has come under strain. The child is
with the mother/defacto complainant.



4.The learned counsel appearing for the petitioner on instructions states that the petitioner is ready to cooperate with the defacto complainant for dissolving their marriage by mutual consent. The petitioner is ready to deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) in the name of the child/Duruvan. It will be open to the defacto complainant to withdraw the interest once in three months. The child can withdraw the deposit amount, after he attained majority. It is open to the defacto complainant to file a proper petition before the Jurisdictional Magistrate under the provision of Protection of Women from Domestic Violence Act, 2005, for return of her jewels. This is because the petitioner's stand is that the articles of the defacto complainant are very much with the defacto complainant. Therefore, this is a matter for enquiry. This would not prejudice the rights of the defacto complainant and the child in question to ask for higher reliefs.

5.The car presented by the parents of the defacto complainant is very much with the petitioner. The petitioner admits that the car is in running condition and he will transport it to the place where it was presented so that it will be delivered properly to the defacto complainant.

6.Recording these undertakings, 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 his appearance before the learned Judicial Magistrate, Karaikudi, Sivagangai, 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.

7.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/-
18/09/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE, KARAIKUDI,
SIVAGANGAI DISTRICT.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3. THE INSPECTOR OF POLICE
KARIKUDI ALL WOMEN POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to M/S. M.E. ILANGO Advocate SR.No.15710

ORDER

IN

CRL OP(MD) No.13079 of 2019

Date :18/09/2019

IAS

PK/SK/SAR-1/24.09.2019 : 3P/6C