



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.12822 of 2019

Ukkirapandian

... Petitioner/Accused No.1

Vs

State through,
The Inspector of Police,
AWPS, Aruppukottai,
Virudhunagar District.
(Crime No. 5/2019).

... Respondent/Complainant

For Petitioner : M/s.J. Ayyappan,
Advocate.

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

For Intervener : Mr.G.MAriappan,
Advocate

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

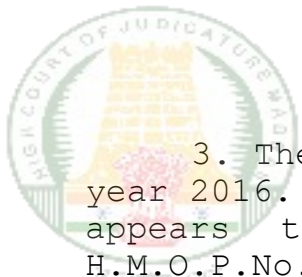
PRAYER :-

For Anticipatory Bail in Crime No. 5 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) of I.P.C. r/w. Section 4 of Dowry Prohibition Act, 1961 and r/w. Section 4 of Tamilnadu prohibition of Harassment of Women Act, 2002, in Crime No.5 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. No child was born through the wedlock. Their relationship appears to have come under strain. The petitioner filed H.M.O.P.No.96 of 2018, before the learned Sub Court, Aruppukottai, for dissolving his marriage between the defacto complainant. After receiving notice in the said H.M.O.P., the present FIR came to be registered.

4.The learned counsel appearing for the intervener states her articles including jeweller are still with the petitioner herein. It is open to the defacto complainant to file a miscellaneous petition in the pending H.M.O.P., and ask for return of her articles.

5.The petitioner's counsel on instruction give an undertaking that the petitioner will deposit a sum of Rs.3,000/- as monthly maintenance to the defacto complainant. The liability of the petitioner will commence from next month onwards. The amount will have to be deposited before 10th of every month. It is only an arrangement and it will be abide by any final order that may be passed by the jurisdictional Civil Court or Family Court. If this condition is breached, this order would stand cancelled and the petitioner will be remanded to judicial custody.

6.Recording the undertaking given by 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 his appearance before the learned Judicial Magistrate, Aruppukottai, 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/-
17/09/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.J. AYYAPPAN, Advocate SR.No.15552

+1. CC to M/S.G.MARIAPPAN, Advocate SR.No.15539

ORDER

IN

CRL OP(MD) No.12822 of 2019

Date :17/09/2019

IAS

PK/SK/SAR-1/24.09.2019 : 3P/7C