



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2020

PRESENT

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

CRL OP(MD). No.860 of 2020

Prabhakar,

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Karur, Karur District.
(Crime No.1 of 2020).

... Respondent/Complainant

For Petitioner : Mr.V.Nagarajan,
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.1 of 2020 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 punishable under sections 294(b), 498(A), 494, 406 and 506(i) of I.P.C., in Crime No.1 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner is an ex-army officer. The petitioner and the defacto complainant got married in the year 2015. A female child was also born in the year 2016.



4.The allegation of the defacto complainant is that the petitioner has developed illicit intimacy with another woman.

5.The petitioner's counsel denies the said allegation and states that the petitioner had obtained decree for restitution of conjugal rights. Be that as it may, the liability of the petitioner to maintain his wife and child cannot be disputed.

6.The petitioner's counsel, on instructions, states that the petitioner will remit a sum of Rs.5,000/- in the bank account of the defacto complainant. The liability of the petitioner will commence from next month onwards. Of-course, this is only an interim arrangement. It is always open to the defacto complainant to claim higher relief before the jurisdictional Court.

7. Recording the petitioner's undertaking and subject to the said condition, I am 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, Karur, 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.

8. 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.

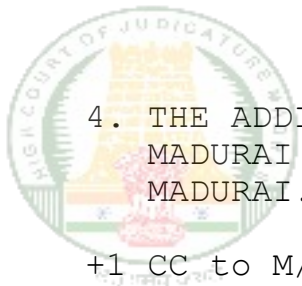
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.I, KARUR.
2. DO THRO'THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KARUR, KARUR DISTRICT.



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

+1 CC to M/s.V.NAGARAJAN, Advocate (SR-1088[I] dated 22/01/2020)

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ORDER

IN

CRL OP(MD) No.860 of 2020

Date :22/01/2020

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AE/SKN/SAR-II (29.01.2020) 3P 6C