



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/01/2020

WEB COPY

PRESENT

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

CRL OP (MD) . Nos.1379 and 1381 of 2020

Kathiravan, ... Petitioner/Accused No.1 in
Crl.O.P. (MD) No.1379 of 2020

1. Arumugathai,
2. Durgadevi, ... Petitioners/Accused Nos.2 & 3 in
Crl.O.P.(MD) . No.1381 of 2020

Vs

The Inspector of Police,
All Women Police Station,
Rajapalayam,
Virudhunagar District.
(Crime No.1/2020). ... Respondent/Complainant in both Crl.O.Ps

(in both Crl.O.Ps)

For Petitioners : M/s. C. Vakeeswaran,
Advocate.

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

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.1/2020 on the file of the
Respondent Police.

COMMON ORDER : The Court made the following order :-

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

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences under sections 498(A) and 294(b)
of I.P.C. and Section 4 of Dowry Prohibition Act, in Crime No.1 of
2020 on the file of the respondent police, seek anticipatory bail.

3. The respondent complainant got married to Kathiravan way back in



the year 2000. Two sons were born through the marriage. One son is aged about 15 years while the other is aged about 17 years. The defacto complainant is not employed. Kathiravan is working as a Travelling Ticket Examiner in Southern Railway. Obviously he will be getting handsome salary which will not be less than Rs.50,000/-. This Court made it clear that Kathiravan has to necessarily maintain his wife and sons.

4. The petitioners' counsel submitted that the defacto complainant has already a maintenance case. Subject to the order that may passed in the maintenance case, Kathiravan undertakes to remit a sum of Rs.17,500/- in the bank account of the defacto complainant every month. This is only interim arrangement and it will not come in the way of wife or the sons to claim any higher relief before the appropriate Court in an appropriate proceedings.

5. Recording the petitioners' undertaking, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Srivilliputhur, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioners 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/-
28/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. Judicial Magistrate No.II, Srivilliputhur.



2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District at Srivilliputhur.

3. The Inspector of Police,
All Women Police Station,
Rajapalayam,
Virudhunagar District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2 CC to M/s.C.VAKEESWARAN, Advocate (SR- 1658 & 1659[I] dated
28/01/2020)

COMMON ORDER IN
CRL OP (MD) Nos.1379 & 1381 of 2020
Date : 28/01/2020

TR/SKN/S-II (31.01.2020) 3P 6C