



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/01/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.1595 of 2020

Balachandar

... Petitioner/1st Accused

Vs

State Rep. by
The Inspector of Police,,
All Women Police Station,
Thiruvaiyaru,
Thanjavur District
Cr.No.16 of 2018.

... Respondent/Complainant

For Petitioner : M/s.S.Poornachandran, 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.16 of 2018 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 312 and 498-A of I.P.C., in Crime No.16 of 2018 on the file of the respondent police, seeks anticipatory bail.

3. It is seen that the petitioner was already granted anticipatory bail by this Court. But later, under erroneous impression that he withdrew the petition. Be that as it may, the fact remains that the petitioner is having a child through marriage. The child is with the defacto complainant. Therefore, the petitioner has to be put on terms.

4. Without prejudice to his contentions, the petitioner comes



forward to remit a sum of Rs.5,000/- as monthly maintenance in the bank account of the defacto complainant. It is only an interim arrangement. This will abide by the final order that may be passed by the jurisdictional Court. The liability of the petitioner will commence from this month onwards. The petitioner will remit the maintenance amount on or before 10th of every month in the said bank account.

5. Recording the petitioner's undertaking, 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, Thiruvaiyaru, 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.

6. 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/-
30/01/2020

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
AWPS., THIRUVAIYARU,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.POORNA CHANDRAN, Advocate (SR-1995[I] dated
31/01/2020)

ORDER IN
CRL OP(MD) No.1595 of 2020
Date :30/01/2020

RMI
TE/PN/SAR-II : 06/02/2020 : 2P/6C

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