



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/02/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.3477 of 2020

1. Baskar
2. Indrani
3. Nal Gandhi
4. G.Nandhakumar ... Petitioners/Accused 1-3 & 5

Vs

State rep. By
The Inspector of Police,
All Women Police Station,
Thilagar Thidal,
Madurai District.
(Crime No.11/2020). ... Respondent/Complainant

For Petitioners : M/s.A.Sivasubramanian

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

For Intervener : Mr.R.M.S.Sethuraman

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

PRAYER :-

For Anticipatory Bail In Crime No.11 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the intervener 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), 406 and 506(i) of I.P.C. and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.11 of 2020 on the file of the respondent police, seek anticipatory bail.

<https://hccs.courts.madras.gov.in/joservices>



3. It is seen that the first petitioner has already filed a divorce petition against the defacto complainant. The defacto complainant alleges that the petitioners are in possession of 70 sovereigns of gold gifted at the time of marriage. I am of the view that defacto complainant can as well file a petition before the Court where the H.M.O.P. petition is pending to workout her remedy there. Now I am inclined to make interim arrangement regarding maintenance. It is not in dispute that two children were born through the wedlock and the children are with the mother. The petitioner is working as Senior Cargo Operation Agent in Qatar Airways. He must be earning not less than Rs.70,000/-. Therefore, subject to the orders that may be passed by the Civil Court, the first petitioner is directed to remit a sum of Rs.20,000/- in the bank account of the defacto complainant every month towards her maintenance and that of the two children. It is made clear that it is only an adhoc arrangement and it is open to the parties to workout their rights before appropriate Court in appropriate proceedings. The liability of the first petitioner will commence from next month onwards.

4. Subject to these conditions, 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 Additional Mahila Court, Madurai, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two common sureties each for a like sum to the satisfaction of the Court 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.

5. The petitioners shall appear before the concerned Court 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/-
26/02/2020

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

IAS

<https://hcservices.ecourts.gov.in/hcservices/>



TO

1 THE JUDGE, ADDITIONAL MAHILA COURT, MADURAI.

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

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
THILAGAR THIDAL, MADURAI DISTRICT.

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

+1. CC to M/S.A.SIVASUBRAMANIAN Advocate SR.No.4047

+1cc to M/s.R.M.S.SETHURAMAN, Advocate, SR.No.4070

ORDER

IN

CRL OP(MD) No.3477 of 2020

Date :26/02/2020

JMN/SKN/SAR-4 (04.03.2020) 3P : 7C