



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05/06/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.5222 of 2020

SAHAYA VIMALRAJ

... PETITIONER/ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
COLACHEL POLICE STATION,
KANYAKUMARI DISTRICT,
CRIME NO.8/ 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s. S.Sivakumar,
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. 8 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 448, 294(b), 324 and 506(i) of I.P.C., and Section 4 of Tamil Nadu Woman Harassment Act, in Crime No.8 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The case involves matrimonial issue. The petitioner is having two children.



4.The petitioner undertakes to pay a sum of Rs.5,000/- per month as maintenance to his wife and children till the final orders are passed in any maintenance proceedings or in any matrimonial issues that is instituted by the wife.

5.This is only an interim arrangement. The petitioner's liability to pay a sum of Rs.5,000/- will commence from this month onwards. The petitioner will somehow collect the bank account details of his wife through the respondent police and deposit the same in question on or before 10th of every month.

6.Since the petitioner has come forward to abide by this undertaking, I am inclined to grant relief. I make it clear that if this undertaking is breached, it will be open to the petitioner's wife to move this Court for cancellation.

7.In view of the above, 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, Eraniel, 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 eight weeks from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
05/06/2020

/ TRUE COPY /

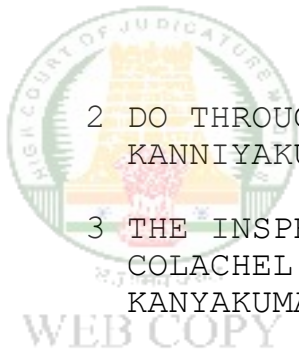
/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE,
ERANIEL.

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



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT.

3 THE INSPECTOR OF POLICE,
COLACHEL POLICE STATION,
KANYAKUMARI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.5222 of 2020
Date :05/06/2020

RMI
JM/PN/SAR 2/12.06.2020/3P/5C