



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/06/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.5762 of 2020

1. Palraj,
2. Dhanalakshmi,
3.Vinoth Raj,

... Petitioners/Accused Nos.2 & 3

(P3 Suo motu impleaded as per order of this Court
dated 08.06.2020 in CRL OP(MD)No.5762 of 2020)

Vs

State rep.by
The Sub-Inspector of Police,
All Woman Police Station,
Aruppukottai, Virudhunagar District.
(Crime No. 04/2020).

... Respondent/Complainant

For Petitioners : M/s.M.Jothi Basu,
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. 04 of 2020 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

Thiru.Vinoth Raj, S/o.Palraj, is suo motu impleaded as the
third petitioner.

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

3. The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 498(A),
294(b), 406, 506(i) IPC r/w Section 4 of Tamil Nadu Prohibition of
Harassment of Women Act, 2002, in Crime No. 4 of 2020 on the file of
the respondent police, seek anticipatory bail.



4.The marriage between the Vinoth Raj and the defacto complainant took place on 25.11.2018. It appears that the third petitioner has also filed matrimonial O.P. before the jurisdictional Court.

5.The petitioners through their counsel give an undertaking that the third petitioner will pay a sum of Rs.7,500/- to the defacto complainant till the issue is settled before the jurisdictional matrimonial Court. Since the third petitioner is the legally wedded husband of the defacto complainant, he is bound to maintain her. He is working as a police Constable and he is earning a sum Rs.20,000/- per month and the first petitioner is an ex-service man and he is also getting some pension. The third petitioner has come forward to pay a sum of Rs.7,500/- to the defacto complainant as monthly maintenance. The liability of the third petitioner will commence from next month onwards. The amount will have to be deposited in the bank account of the defacto complainant on or before 10th of every month. This is only an interim arrangement and this would abide by the final outcome of the proceedings that may be instituted by either of the parties.

6. In the view of the above, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate Court, Aruppukkottai and executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two common 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.

7. The petitioners 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/-
08/06/2020

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/ /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



TO

1. THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE SUB-INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.5762 of 2020
Date :08/06/2020

DAS
AE/PN/SAR-II (12.06.2020) 3P 5C