



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

Date : 10/06/2021

PRESENT

The Hon'ble Mr. Justice G.R. SWAMINATHAN
CRL OP(MD). No.7425 of 2021

WEB COPY

V.Manikanda

... Petitioner/Sole Accused

Vs

State Represented by
The Inspector of Police,
All Women Police Station,
Ponmalai, Trichy.
Cr.No.4/2021.

... Respondent/Complainant

For Petitioner : Mr.Sivachandran.P.,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.4 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offence punishable under Section 498(A) in Crime No.4 of 2021 on the file of the respondent police, and seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Counsel(Crl.side) for the respondent police.

3.The defacto complainant is presently living separately and she has to be maintained the child also.

4.The petitioner undertakes to pay a sum of Rs.25,000/- upfront to the defacto complainant. He is also ready to pay a sum of Rs.3,000/- per month towards maintenance of the wife and the child. This liability of the petitioner will commence from 01.08.2021 onwards. Of-course, this is without prejudice to the right of the defacto complainant to seek higher sum before the jurisdictional Court. The amount of Rs.25,000/- is to be paid by the petitioner within a period of ten days from the date of receipt of a copy of this order. The petitioner will take a demand draft favouring the defacto complainant for the said sum and the same will be handed over by the respondent to the defacto complainant directly after taking acknowledgment.



5. Subject to this condition, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest by the respondent police on executing personal bonds for a sum of Rs.5,000/- [Rupees Five Thousand only] with two sureties each for a likesum to the satisfaction of the respondent police and on further condition that the petitioner shall appear before the learned Additional Mahila Court, Trichy, and execute fresh personal bonds for a sum of Rs.5,000/- [Rupees Five Thousand only] with two sureties each for a likesum to the satisfaction of the concerned Judicial Magistrate, within a period of one month, from the date of resumption of regular work in subordinate Courts in view of the present pandemic situation and on further conditions that:

[a]the sureties shall affix their photographs and Left Thumb Impression in the surety bonds and the Magistrate may obtain a copy of their Aadhar cards or Bank pass Books to ensure their identity;

[b]the petitioner shall report before the respondent police as and when required for interrogation;

[c]the petitioner shall not abscond either during investigation or trial;

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial;

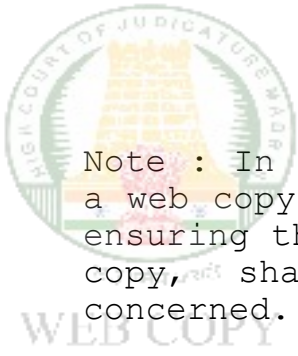
[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**; and

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

Sd/-
10/06/2021

/ TRUE COPY /

/ /2021
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 ADDITIONAL MAHILA COURT, TRICHY
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PONMALAI, TRICHY.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.7425 of 2021

Date : 10/06/2021

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