



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

Date : 03.08.2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD)No.10471 of 2021

Sevugaperumal @ Balavignesh ... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukottai District.
In Crime No.8 of 2021

... Respondent/Complainant

For Petitioner : Mr.J.ANANDKUMAR, Advocate.

For Respondent : Mr.P.KOTTAI CHAMY

Government Advocate(Crl. side)

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

PRAYER :-

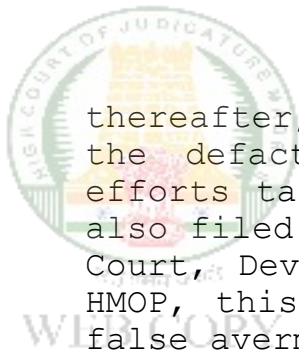
For Anticipatory Bail in Crime no.8 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498A and 406 of IPC and Sections 66C and 66E of the Information Technology (Amendment) Act, 2008 in Crime No.8 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife and their marriage was solemnized on 06.06.2019. According to the defacto complainant, the petitioner used to consume liquor, come home at late night in a drunken mood and compelled her to watch porn videos. Hence, she left the matrimonial home.

3. *Per contra*, the learned counsel for the petitioner submits that the defacto complainant after settling in Bangalore, attracted to a different life style, completely changed her behaviour, dress pattern and make up style. It was objected to by the petitioner and



thereafter, there was a difference of opinion between them. Hence, the defacto complainant left the matrimonial home and all the efforts taken by the petitioner ended in vain. The petitioner has also filed an application for dissolution of marriage before the Sub Court, Devakottai in HMOP.No.152 of 2021. Subsequent to the said HMOP, this complaint has been foisted against this petitioner with false averments.

4. The learned Government Advocate (Criminal Side), opposed this petition on the ground that investigation is pending.

5. Considering the nature of offence and the fact that this is a matrimonial dispute, this Court is inclined to grant Anticipatory Bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Aranthangi on condition that the petitioner shall execute 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 conditions that:

[a]the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner shall report before respondent police daily at 10.30 am, until further orders.

[c]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond 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].

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

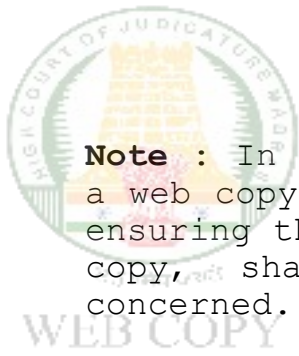
sd/-

03/08/2021

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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
ARANTHANGI.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARANTHANGI,
PUDUKOTTAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI DISTRICT.

+1. CC to Mr.J.Anandkumar, Advocate SR.No.5078 Date:04/08/2021.

ORDER
IN
CRL OP(MD) No.10471 of 2021
Date :03/08/2021

SA/PN/SAR.2/06.08.2021/3P/6C