



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

Thursday, the Ninth day of September Two Thousand and Twenty One

PRESENT

WEB COPY

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

CRL MP(MD) No.6719 of 2021

IN

CRL OP(MD) No.16892 of 2019

SUMATHY

... PETITIONER/DEFACTO COMPLAINANT

Vs

1 PARAMESHWARAN @ PARAMESHKUMAR ... 1<sup>st</sup> RESPONDENT/ PETITIONER

2 THE STATE REP.BY,  
THE SUB INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
THANJAVUR.

... 2nd RESPONDENT/DEFACTO COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the anticipatory bail granted to the 1st respondent in Crl.O.P.(MD) No.16892 of 2019, dated 19/11/2019.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.M.R.R.SIVASUBRAMANIAN, Advocate for the petitioner and of MR.P.M.VISHNUVARTHANAN, Advocate for the 1<sup>st</sup> respondent and Mr.R.RAGAVENDRAN, Government Advocate (Crl. Side) on behalf of the 2<sup>nd</sup> respondent, the court made the following order:-

Heard the learned counsel appearing for the petitioner, the learned counsel for R1 and the learned Government Advocate(Crl. Side) appearing for the second respondent.

2.The first respondent herein is figuring as an accused in Crime No.5 of 2019 on the file of the All Women Police Station, Thanjavur. He applied for anticipatory bail before this Court.He gave an undertaking that he would deposit a sum of Rs.6,000/- as monthly maintenance to the credit of M.C No.3 of 2016 on the file of the Judicial Magistrate No.2, Thanjavur. Recording the said undertaking, anticipatory bail was granted on 19.11.2019. The wife has filed this criminal miscellaneous petition pointing out that only for four months the undertaking was complied with and that the accused did not honour the undertaking given before this Court



3.The accused has been put on notice. The learned counsel appearing for the accused pleads financial difficulties for non-complying with the order passed by this Court.

4.I am not able to appreciate the defence taken before me. The accused was granted anticipatory bail only because he voluntarily gave an undertaking before this Court. Therefore, failure to adhere the same cannot be condoned. The anticipatory bail granted to him vide order dated 19.11.2019 is cancelled. This criminal miscellaneous petition stands allowed.

sd/-  
09/09/2021

/ 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 JUDICIAL MAGISTRATE NO.1,  
THANJAVUR
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJORE DISTRICT AT KUMBAKONAM.
- 3 THE SUB INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION, THANJAVUR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL MP(MD) No.6719 of 2021  
IN  
CRL OP(MD) No.16892 of 2019  
Date :09/09/2021

SKM  
MK/PN/SAR.II/21.09.2021/2P/5C