



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.3765 of 2022

1. Barathiraja
2. Mariappan
3. Arunachalam
4. Vijayalakshmi

... Petitioners/Accused

Vs

1. State rep.by
The Inspector of Police,
All Women Police Station,
Thoothukudi District.
(Crime No. 36 of 2021).

... Respondent/Complainant

(*) 2. P.Kasthuri

(*) (R2 Suo-Motu impleaded as per order
of this Hon`ble Court dated 24.02.2022
in Crl.OP.(MD).No.3765/2022 by KMSJ).

For Petitioner : M/s.Satheeskumar, Advocate.

For 1st Respondent : Mr.M.Vaikkam Aravindh,
Government Advocate (Crl.Side)

For 2nd Respondent : Mr.R.J.Karthick, Advocate.

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

For Anticipatory Bail in Crime No. 36 of 2021 on the file of
the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of
the respondent police for the alleged offences punishable under
Sections 498(A), 506(1) IPC and Section 4 of D.P.Act, in Crime No.36
of 2021 on the file of the respondent police, seek anticipatory
bail.

2. It is a matrimonial issue between the husband and wife. For
the purpose of settlement, the matter was referred to mediation.



3. The learned counsel for the petitioner would submit that right from the date of complainant, he is ready for settlement. He also ready to arrange a rental house in the area of the defacto complainant at Thoothukudi. On the above said proposal, he made an undertaking before the Mediator. At one point of time, she is ready for reunion. But, later, turned back.

4. It is the allegation on the side of the defacto complainant is that only for withdrawal of case, such sort of undertaking was given. There is no real intention on the part of the petitioners to take the defacto complainant.

5. Even though, the matter was referred to mediation, it could not be settled. The learned counsel for the defacto complainant made a request before this Court that maintenance amount may be ordered to the defacto complainant since the petitioner is ready to take the defacto complainant. It appears that the defacto complainant making some sort of hesitation.

6. Let the first petitioner pay a sum of Rs.10,000/- as monthly maintenance to the defacto complainant starting from next month. That amount must be paid on or before 5th day of every English Calendar Month.

7. With the above condition, this Court is inclined to grant anticipatory bail to the petitioners.

8. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate IV, Thoothukudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
30/08/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.I)
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 IV,
THOOTHUKUDI..
 2. -DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
 3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THOOTHUKUDI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.SATHEESKUMAR, Advocate SR.No.9331

ORDER
IN
CRL OP (MD) No.3765 of 2022
Date :30/08/2022

SP/SVR/SAR I/12/09/2022/3P/6C