



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . Nos.14864 and 14872 of 2021

1. Chellaiya
2. Saraswathi
3. Amutha
4. Gunasekaran
5. Periyasamy

... Petitioners/Accused No.2 to 5
in Crl.O.P.(MD) No.14864 of 2021

Velmurugan

... Petitioner /Accused No.1
in Crl.O.P.(MD) No.14872 of 2021

Vs

1. The Inspector of Police,
All Women Police Station, Musiri,
Trichy District. ...Respondent/Complainant in both cases
2. Malaiyayi ...2nd Respondent in both cases

(R2 Suo motu impleaded as per order
of this Court dated 08.12.2021 in
Crl OP(MD)No.14864 & 14872 of 2021)

For Petitioners
in both Crl.OPs., : Mr.Arunraj K,
Advocate.

For R1 : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

For R2 : Mr.Mohammed Kasim, Advocate

<https://www.mca21.com> FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C



COMMON PRAYER :-

For Anticipatory Bail in Crime No.25 of 2021 on the file of the Respondent Police.

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COMMON ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 498(A), 406, 294(b), 323 and 427 IPC in Crime No.25 of 2021 on the file of the respondent police.

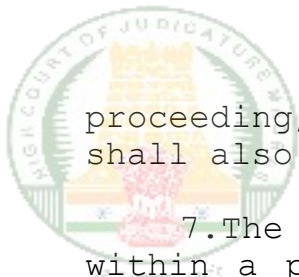
2.The learned counsel for the intervenor would submit that the defacto complainant was driven out of the house along with her two children and now without proper maintenance and support, she is in pathetic situation. For the purpose of getting instructions only, the matter has been listed today.

3.The learned counsel for the petitioners on record is not available. The matter is of the year 2021 and without any progress, it is kept pending because of the mediation process. Since the defacto complainant herself has stated that she is ready either for reunion or for maintenance, the petitioners are not in a position to inform the Court about their idea.

4.Considering the fact that the 1st petitioner himself has undertaken either to give maintenance or to make settlement for reunion, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:-

5.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, Thuraiyur, 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 am., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The 1st petitioner shall pay a sum of Rs.5,000/- directly to the wife and a sum of Rs.2,500/- each to the children towards monthly maintenance on every English Calendar month. The 1st petitioner must take all possible steps to settle the issue. The 1st respondent must file the final report within a period of 3 months from the date of receipt of a copy of this order before the concerned Court. The maintenance that has been ordered in these petitions is without prejudice to the order to be passed in the



proceeding, the maintenance that has been ordered in these 1 is shall also be taken into account.

7.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 will stand dismissed.

sd/-
02/09/2022

/ TRUE COPY /

/09/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MM

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

ORDER
IN
CRL OP(MD). Nos.14864 and 14872 of 2021
Date :02/09/2022

RK/GB/SAR-1 (24/09/2022) 3P/5C