



WEB COPY

CRL OP(MD). N



21

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 26/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16186 of 2021

1. Vasanthakumar
2. Rajagopal

... Petitioners/Accused A1 TO A2

Vs

1 The State rep.by,
The Inspector of Police,
All Women Police Station, Manapparai,
Trichy District.
(Crime No. 26 of 2021).

... Respondent/Complainant

2. Kiruthika,
(R2 Suo Motu Impleaded as Per Order of
this Hon`ble Court dated 10.12.2021 in
Crl OP(MD) No.16186 of 2021)

... 2nd respondent

For Petitioner : Mr.B.Prahalad Ravi, Advocate.
For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

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

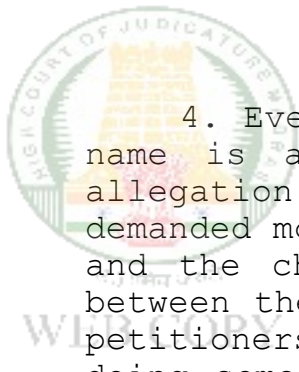
PRAYER :-For Anticipatory Bail in Crime No. 26 of 2021 on the
file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 and 2, apprehending arrest at the
hands of the respondent police for the alleged offence punishable
under Sections 406, 498(A) and 506(i) IPC, in Crime No.26 of 2021 on
the file of the respondent police, seek anticipatory bail.

2. The matter is relating to matrimonial dispute and hence, it
was referred to Mediation for amicable settlement. However, inspite
of repeated adjournments, there was no compromise between them.

3. The learned counsel for the petitioners submitted that the
defacto complainant demanded exorbitant amount to settle the issue
and hence, the matter could not be settled and the defacto
complainant is also not willing for reunion.



4. Even though notice served upon the second respondent, her name is also printed in the cause no one has appeared. The allegation against the petitioners is that after the marriage, they demanded more money and additional jewellery and made trouble on her and the child was also born when there was no proper cordiality between them. Thereafter, She was driven out from the house of the petitioners and started living separately along with child and also doing some business. Again on 5.10.2021 at about 8.30 am when the defacto complainant was in the house, the accused persons came and caused assault and snatched 25 sovereigns of gold jewels of the defacto complainant and also abused criminally intimidated her. The occurrence said to have taken place in the year 2021.

5. Since A1 is having child and also stated to be in the custody of the defacto complainant, the 1st petitioner must maintain the wife and child and hence, the 1st petitioner is directed to pay a sum of Rs.10,000/- as maintenance to the wife and child till further orders to be decided by the competent Court.

5. Considering the facts and circumstances and also considering the fact that the 1st petitioner is not willing for reunion, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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, Manapparai, 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. Further, the 1st petitioner is directed to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) as maintenance to the wife and child till further orders to be decided by the competent Court, on or before 10th day of every English Calender Month. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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 stands dismissed.

sd/-
26/07/2022

/ TRUE COPY /

/08/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JUDICIAL MAGISTRATE,
MANAPPARAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MANAPPARAI, TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.PRAHALAD RAVI.B Advocate SR.No.7756

ORDER

IN

CRL OP(MD) No.16186 of 2021

Date :26/07/2022

TRP

MK/VR/SAR.I/01.08.2022/3P/6C