



CRL OP(MD).No.6207 of 2024

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

Date : 27.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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1. Sivaraman

2. Velammal

3. Kannan

4. K.Tamil Alagu

5. Suresh Periyasamy

6. S.M.Kannan

... Petitioners/ Accused

Versus

The State Rep. by
The Inspector of Police,
AWPS Samayanallur Police Station,
Madurai District.
(crime No. 16/2024)

... Respondent/Complainant

For Petitioners : Mr.G.Muthu Ganesa Pandian, Advocate

For Respondent : Mr.B.Thanga Aravindh

Government Advocate (Crl. Side)

For Intervenor : M/s.Bharathi, Advocate



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

PRAYER :-

For Anticipatory Bail in Crime No.16 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.16 of 2024, for the offence under Section 498(A) IPC and Section 4 of TNPHW Act, have filed this petition seeking anticipatory bail.

2. The first petitioner is the husband and the petitioners 2 to 6 are in-laws of the defacto complainant. The case of the prosecution is that the petitioners harassed the defacto complainant and drove her out of the matrimonial home on 25.06.2023.

3. The learned counsel appearing for the defacto complainant submits that in the earlier round of litigation, the first petitioner/husband was directed to pay a sum of Rs.10,000/-p.m. to the defacto complainant towards interim monthly maintenance. Accordingly, The first petitioner has paid the monthly maintenance for a period of four months and thereafter, he failed to pay the amount. Subsequently, the first petitioner, in order to evade the payment, lived with the defacto complainant, again picked up quarrel with her and drove her out of the matrimonial home. He further submits that the first petitioner with an intention to marry another woman, has deserted the defacto complainant.



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5. The learned counsel appearing for the petitioners submits that the first petitioner/husband has filed an undertaking affidavit before this Court that he will pay the amount of Rs.10,000/- to the defacto complainant towards monthly maintenance without any default.

6. Considering the nature of offence and also considering the undertaking affidavit filed by the first petitioner that he will pay the monthly maintenance of Rs.10,000/- to the defacto complainant without any default, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate on condition that

(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Vadipatti.

(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The first petitioner shall appear before the respondent Police daily at 10.30

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a.m. until further orders. The petitioners 2 to 6 shall appear before the respondent Police as and when required for interrogation. They have to co-operate for the investigation.

(iv) The first petitioner shall pay a sum of Rs.10,000/- to the defacto complainant towards monthly maintenance without any default, as per the undertaking affidavit given by him.

(v) The first petitioner shall file an undertaking affidavit that he will pay the monthly maintenance of Rs.10,000/- to the defacto complainant without any default, before the respondent Police.

(vi) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(vii) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
27/06/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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OGY
TO

- 1 THE JUDICIAL MAGISTRATE,
VADIPATTI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
AWPS SAMAYANALLUR POLICE STATION,
MADURAI DISTRICT, MADURAI
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.MUTHU GANESA PANDIAN, Advocate (SR-7060[I] dated 27/06/2024)

+1 CC to M/s.S.BHARATHI, Advocate (SR-7165[I] dated 01/07/2024)

ORDER
IN

CRL OP(MD) No.6207 of 2024
Date :27/06/2024

PKP/JGB/SAR /05.07.2024/ 5P/ 7C

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