

SAYS HE IS A HOMOSEXUAL SINCE HIS TEENS, HIS 'LOVER' IS IN MERCHANT NAVY

Wife wants hubby punished for 'gay abandon'

Menaka Rao

The wife of a Peddar Road businessman has filed a complaint against him and his alleged partner accusing them of having unnatural sex — homosexuality in other words.

In her complaint filed under Section 377 of the Indian Penal Code, Rohini, 37, said that she wants to "punish them". Section 377 stipulates life imprisonment for those who voluntarily have "carnal intercourse against the order of nature".

After the complaint was filed, the businessman, Anand Mathur, and his alleged lover, Rommel Fernandes, approached the sessions court for anticipatory bail. Their applications do not deny allegations of homosexuality. Fer-

nanDES, who works in the merchant navy, was granted anticipatory bail; Mathur's application is pending.

Mathur, 40, married Rohini in 1994. The two stayed in a Peddar Road flat with Mathur's parents. In her complaint, Rohini said that she became aware of her husband's "homosexuality" in 1998.

Mathur, Rohini said, confessed to her that he had acquired the "strange habit" when he was a teen. He, however, vowed not to get involved with any man in future, she said. On her insistence, Mathur even underwent counselling, she said. The couple then had a son in 2001.

But, she had an inkling that her husband still had sexual relations with men. The two frequently had arguments about his sexual preference and many a time she left home to live with her parents, Rohini said.

The complaint claimed that in 2007, Mathur confessed to the counsellor that he had found a partner, Fernandes, through an internet site and that he was having sexual relations with him. Fernandes' job in merchant navy occasionally brought him to Mumbai since 2006, it said.

Rohini filed the first information report at the

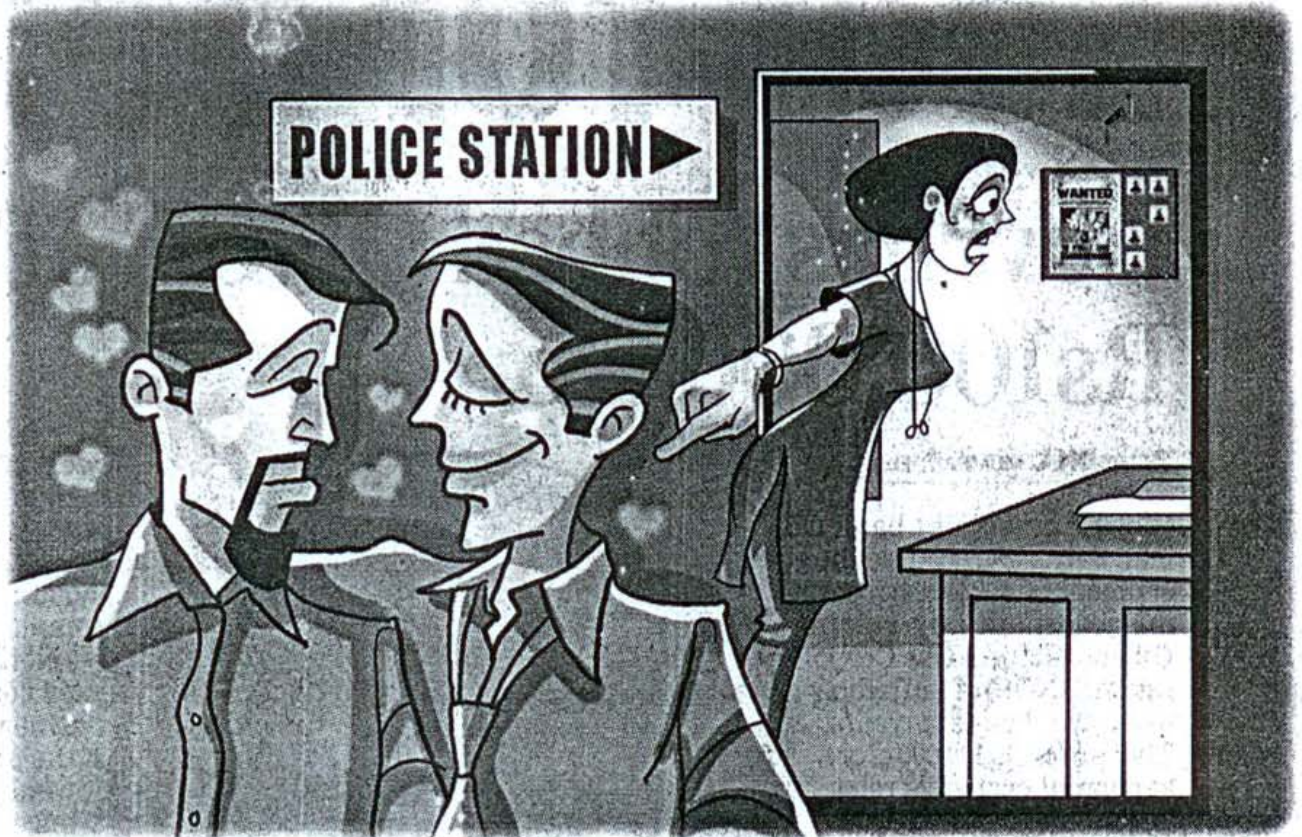


ILLUSTRATION: RAVI JADHAV

Gamdevi police station on February 16. The police said that during investigations, they found two CDs with "incriminating material" against the accused.

Rohini's lawyer Ameta Kuttikrishnan on Thursday opposed Fernandes' application saying his relationship with Mathur had "hampered" her client's married life. "I'm apprehending that they (Mathur and Fernandes) will get back together. Some strict punishment is required," she said.

Additional sessions judge DU Mulla asked if Rohini still resided with her husband. When he was told she did, the judge asked: "Why are you still residing with him. How can you justify your demand (for the police custody of the accused)? Your problem is not going to be solved like this."

Judge Mulla, while granting anticipatory bail to Fernandes, observed that no other evidence needs to be collected in the case and there are no allegations of Rohini being harassed.

Mathur's anticipatory bail plea will come up for hearing on Saturday. His lawyer, Vivek Kantawala, refused to comment on the case.

(Names changed to protect identities)

SLAP AND TICKLE

In December last year, Gamdevi police had filed a non-cognisable offence complaint against Anand Mathur for allegedly slapping his wife, Rohini. On February 9, an officer visited their residence and asked Mathur's mother if he was homosexual. She said that it was his personal affair and she had no knowledge about it.

LAW, IN LETTER AND SPIRIT

During the trial in the Anchorage paedophilia case, the HC had underlined the need for change in provisions of law. "There are lots of changes taking place in the social milieu and many people have different sexual preferences, which are even not considered to be unnatural," the HC had said.