



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

Friday, the Nineteenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10916 of 2015

1 V. MANOHARAN
2 M. JAYAKUMAR
3 R. GUNASEKARAN
4 T.V. CHARLES
5 A. VARADHARAJAN
6 P.M.C. MUTHUKUMAR
7 P. JAYAVEL PANDIAN
8 P. PANDITHURAI
9 T. KALIRAJAN
10 P. AJAI
11 P. RAJAVINOTH
12 A. VIJAYARAJAN

... PETITIONER(S) / ACCUSED 1 to 12

T.MATHILAGAN

...PETITIONER/INTERVENOR

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DT, CRIME NO.490/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.DILIP KUMAR Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

For Intervenor : M/S. A.V.ARUN Advocate

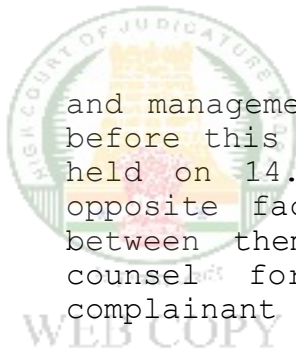
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 12 apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 109, 147, 448, 294(b), 342, 506(i) and 379 (NP) of I.P.C., and Section 3 of TNPPDL Act in Crime No.490 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. The prosecution case is that on 13.06.2015, the accused had gone to the shop of the de-facto complainant and taken away cash of Rs.65,000/- and also damaged article worth about Rs.2,000/- and further they locked the shop keeping the employees including women employ inside the shop.

3. The learned counsel for the petitioners submitted that there are two factions in Arupukottai Nadar Uravinmurai Sangam and the first petitioner is the Past President and the second petitioner is the Past Vice President of the Sangam, that in respect of conduct of the election



and management of the Society, there are four writ petitions are pending before this Court, that the general body meeting of the Society was to be held on 14.06.2015 and to get some clarification, the Members of the opposite faction had gone to the Society, where wordy quarrel arose between them and later, they filed this false complaint. The learned counsel for the petitioners further submitted that the de-facto complainant is the brother of the present Secretary of the Sangam.

4. Per contra, Mr.V.Arun, learned counsel for the intervenor vehemently opposed the anticipatory bail petition stating that the petitioners have taken the law in to their hands and they ransacked the shop of the de-facto complainant and also locked the premises keeping the women employee inside the shop and later, it was opened by the Deputy Superintendent of Police in the presence of Revenue Assistance. It is further submitted that if the petitioners have any dispute with regard to the conduct of the election, they should only fight legally and they cannot come to the house of the shop of the de-facto complainant. The learned counsel for the intervenor further submitted that the petitioners 2, 7 and 8 were already involved in a case of similar nature in the year 2014 and that the petitioners had given a representation to the Revenue Divisional Officer to conduct a Peace Committee Meeting and also sought police protection which was refused by the Revenue Divisional Officer and thereafter only they have done this illegal act.

5. The learned Government Advocate (Crl.side) submitted that due to election dispute, the accused have caused damage of the goods worth of Rs.2,000/- and also took away Rs.65,000/- .

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Arupukottai and on executing 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 on further condition that the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each to the credit of Crime No.490 of 2015 before the learned Judicial Magistrate, Arupukottai without prejudice to their rights in the criminal case and the petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required. 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/-
19/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)



TO

1 THE JUDICIAL MAGISTRATE, ARUPUKOTTAI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
ARUPUKOTTAI TOWN POLICE STATION, VIRUDHUNAGAR DISTRICT.

+1. CC to M/S.N.DILIP KUMAR Advocate SR.No. 32218.

TS/22.06.2015/2P -6C

ORDER

IN

CRL OP(MD) No.10916 of 2015

Date :19/06/2015