



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

Thursday, the Twenty Ninth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1469 of 2015

1 BALUSAMY
2 SEVAKUMAR
3 KARUNANIDHI
4 CHITHAMBARAM
5 SAMIDURAI
6 CHELLAM
7 CHELLAKANNU
8 PICHAI

..PETITIONERS/ACCUSED 1 to 8

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DIST.
CR.NO.44/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.P. GANAPATHI SUBRAMANIAN Advocate
For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)
For Intervenor : Mr.C.KISHORE, Advocate

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Section 379 IPC in Crime No.44 of 2015 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2.Heard the learned counsel for the petitioners and Mr.C.Kishore, learned counsel for the intervenor.

3.There appears to be a serious dispute between the petitioners and the de facto complainant with regard to the possession of the land in question, in which paddy was already sown and was awaiting harvest. While so, the Revenue Divisional Officer appears to have conducted an enquiry and given a report 22.12.2014 that the de facto complainant should harvest the paddy with police aid. Aggrieved by the order of the Revenue Divisional Officer, the petitioners/accused here approached this Court by way of a writ petition. Similarly, the de facto complainant also filed a writ petition before this Court praying for police protection in order to complete the harvesting. When this Court has admitted both the writ petitions on 20.01.2015, on 24.01.2015, the petitioners taking law into their hands, have entered into the lands and harvested the paddy. The worth of the harvest is estimated to be around Rs.2.70 lakhs.

4.The allegation against the petitioners indeed is very serious. Inasmuch as this Court has seized of the matter, it is not fair on the part of the petitioners to take the law into their hands and high-handedly harvest the crops. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this petition is dismissed.

sd/-

29/01/2015

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Sub-Assistant Registrar (C.S.)



TO

- 1 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 2 THE SUB INSPECTOR OF POLICE, DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

+1CC to M/s.P. GANAPATHI SUBRAMANIAN, Advocate in SR.4679

+1. CC to M/S.C.Kishore, Advocate SR.No.4008

ORDER IN

CRL OP(MD) No.1469 of 2015

Date :29/01/2015

PBK 02/02/2015 ::2P-5C: