



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

Tuesday, the First day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22140 of 2015

1 P.V. PALANIMURUGAN
2 E. THAVASI
3 V. GANESAN
4 P. MAYAN
5 V. DHANUSKODI
6 GOBALAKRISHNAN
7 M. RAMASAMY

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PUDUR POLICE STATION,
VILATHIKULAM,
THOOTHUKUDI DISTRICT,
CRIME NO NOT KNOWN OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.RAJARAMAN Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 447 of IPC and Section 3, 3(1) PPDL Act, in Crime No. Not known of 2015 on the file of the respondent police and hence, seek anticipatory bail.

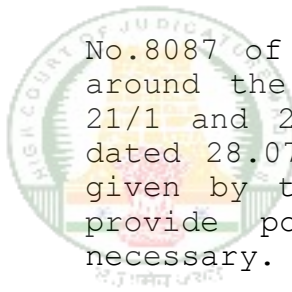
2.The case of the prosecution is that on 08.11.2015 the petitioners and others demolished a new compound Wall constructed by the Pudur South Muthaiahpuram Kulakkattankurichi Nadar, Uravinmurai Sangam represented by the President, E.P.R.Maripandiyan.

3.The case of the petitioners is that one Nadar School have a Title only for an extent of 2 Acres 10 Cents, but they have encroached 4 Acres of the Village Communal Land including the petitioners's Pathway consisting in Survey No.21/1B. With regard to that, a Peace Committee Meeting was conducted by the Revenue Divisional Officer. The petitioners appeared before the Revenue Divisional Officer and signed in the Peace Committee Meeting. In view of that, the respondent police harassing the petitioners and trying to arrest them.

4.The learned counsel for the petitioners submitted that the petitioners are aged persons and village elders and they have not committed any offence as alleged by the prosecution.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The learned Government Advocate (Crl.side) submitted that the Pudur Hindu Nadar High School obtained a Civil Decree and filed a Crl.O.P.(MD)



No.8087 of 2010 for Police Protection for construction of Compound Wall around the Pudur Hindu Nadar High School Playground in Survey Numbers 21/1 and 21/8, Kulakkatankurichi Village and this Court by the order, dated 28.07.2010 directed the respondents to consider the representation given by the petitioner on 24.05.2010 and pass appropriate orders and provide police protection to carry out the construction work, if necessary.

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6.The learned Government Advocate (Crl.side) further submitted that during the enquiry, the defacto complainant agreed to provide pathway in the one side of the land but the petitioners and other Village people refused the same and demanded for pathway in the middle of the land.

7.From the materials it is seen that the petitioners signed in the Peace Committee Meeting in respect of the dispute in the Village and their averments that they are the elders of the village and they have signed the Peace Committee Meeting.

8.Considering the above 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 arrest or on their appearance before the learned Judicial Magistrate, Vilathikulam and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. 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/-

01/12/2015

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Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE ,VILATHIKULAM.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,TUTICORIN DISTRICT.
 - 3 THE INSPECTOR OF POLICE, PUDUR POLICE STATION,VILATHIKULAM,
THOOTHUKUDI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S R.RAJARAMAN Advocate SR.No.68655

ORDER

IN

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Date :01/12/2015