



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

Monday, the Thirteenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.9140 of 2016

WEB COPY

1 K. MUTHUSANGU

2 VNSP. RAVI

3 R.S. CHANDRASEKAR

4 GOPINATH

5 K. CHANDRASEKARAN

6 K. THIYAGARAJAN

... PETITIONERS/ACCUSED 1 to 6

Vs

STATE REP BY THE INSPECTOR OF POLICE

ARUPPUKOTTAI TOWN POLICE STATION,

VIRUDHUNAGAR DISTRICT.

(CRIME NO. 365 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.GANDHI Advocate

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

For Intervenor : MR.S.J.CHAKKARAVARTHY Advocate

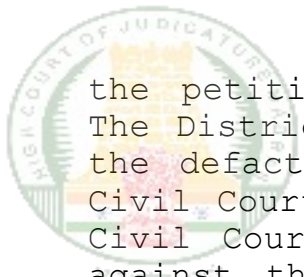
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 6, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 417, 420 and 506(i) of IPC in in Crime No.365 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the President of the Devangar Mahajana Sabah and the said Sabah is running a number of schools. The petitioners sent number of complaints by using letter pad and Seal of the Mahajana Sabha creating confusion in the administration. When the same was questioned by the defacto complainant, they have threatened him with dire consequences. On complaint, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the defacto complainant and the petitioners are members of the Society viz., Aruppukottai Devangar Mahajana Sabah. As per the by-laws of the Society, new office bearers have to be elected for the term 2015-2018. Both the defacto complainant and



the petitioners submitted Form-7 for approval of their election. The District Registrar of the Society did not accept the Form-7 of the defacto complainant, holding that parties should approach the Civil Court to resolve their dispute. Instead of approaching the Civil Court, the defacto complainant has given a false complaint against the petitioners. In view of the dispute, now, direct payment of salary was ordered by the District Elementary Education Officer, Virudhunagar.

4. The learned Government Advocate (Crl.Side) submitted that on complaint case has been registered and the investigation is pending.

5. Considering the fact that there is a dispute between the defacto complainant and petitioners with regard to the election of office bearers of the Society viz., Aruppukottai Devangar Mahajana Sabah and that the management of the institutions run by the Society, 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, Aruppukottai, 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 for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. 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/-
13/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI
 - 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR
 - 3 THE INSPECTOR OF POLICE, ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S R.GANDHI Advocate SR.No.30039
+1cc to Mr.S.J.CHAKKARAVARTHY, Advocate Sr.No. 29873

ORDER IN
CRL OP(MD) No.9140 of 2016
Date :13/06/2016