



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

Wednesday, the Twenty Ninth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14691 of 2018

K.LAKSHMANAN

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SAKKOTTAI POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.134 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.BAALASUNDHARAM, Advocate
For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 448, 380(NH) and 506(i) of IPC in Crime No.134 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner trespassed into the Pillaiyar Koodam and took away the documents and jewels from there, which is situated in Arulmigu Karpaga Vinayagar Temple, Kandanoor village and also threatened the defacto complainant with dire consequences.

3.The learned counsel for the petitioner submits that the petitioner is the trustee of the Arulmigu Karpaga Vinayagar Temple, Kandanoor village, Sivagangai District. The said trust is administered by a group of temples including Arulmigu Karpaga Vinayagar Temple, Kandanoor village. There is some difference of opinion between the defacto complainant and the present trustee namely, the petitioner herein, with regard to celebration of festival in Arulmigu Mariamman Temple scheduled to be held on 23.03.2018 and 28.03.2018. In this regard, the defacto complainant has also filed writ petitions in W.P.(MD)Nos.19030, 22589 of 2017 and W.P.(MD)Nos.2717 and 4989 of 2018, regarding the affairs of the temples before this Court.

4.Further, he would submit that the alleged occurrence took place on 21.03.2018 and where as the complaint has been lodged only on 06.07.2018. After the occurrence, a peace committee meeting was



conducted by the respondent police on 22.03.2018, in which the petitioner and the defacto complainant including, other trustees have participated and passed a resolution. Hence the present complaint is falsely foisted against the petitioner.

5. It seems that after the occurrence on 21.03.2018, a peace committee meeting was conducted by the respondent in which the petitioner has also participated and a resolution was passed. Further, there are some writ petitions have also been pending before this Court, with regard to administering the temple under the Kandanoor Nattars trust. Admittedly, the petitioner is also one of the trustee till today.

6. Considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Karaikudi, Sivagangai District and on his 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 petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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 shall stand dismissed.

sd/-
29/08/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, KARAIKUDI,
SIVAGANGAI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,
SAKKOTTAI POLICE STATION, SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.K.BAALASUNDHARAM Advocate SR.No.16342

ORDER IN
CRL OP(MD) No.14691 of 2018
Date :29/08/2018