



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

Monday, the First day of November Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) No.6294 of 2021

IN

CRL OP(MD) No.13433 of 2020

WEB COPY

1.MAYAKANNAN
2.LAKSHMANAN
3.ILANGO VAN
4.MURUGESAN
5.KATHIRESAN
6.SARATHKUMAR
7.BARATHKUMAR @ BARATHI
8.RAJENDRAN

... PETITIONERS/ACCUSED NO.2,3 & 5 TO 10

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ELAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO.383 OF 2020

... RESPONDENT/COMPLAINANT

PRAYER: Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition to reduce the amount on the condition imposed to the petitioners from paying a sum of Rs.2 Lakhs to least amount and directed the petitioners to pay such amount in the credit of Crime.No.383 of 2020 before concern judicial magistrate instead of paying the amount directly to the Defacto-Complainant in connection with Crl.O.P(MD)No.13433 of 2020 dated 26.11.2020 and thus render justice.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.GLADSON.S., Advocate for the petitioner and of MR.P.KOTTAI CHAMY, GOVERNMENT ADVOCATE (CRL SIDE) on behalf of the Respondents the court made the following order:-

The petitioners, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 427 and 379 IPC in Crime No.383 of 2021 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and other accused had unlawfully assembled and entered into the defacto complainant's land and damaged the fencing and stolen a wire worth



of Rs.3,45,000/-. Hence the complaint.

3. There is no representation for the petitioners.

4. The learned Counsel for the defacto complainant is present and submits that these petitioners have damaged the fence of the defacto complainant to the tune of Rs.3,45,000/-. This Court by order dated 26.11.2020 granted anticipatory bail to the petitioners with condition that the petitioners shall pay a sum of Rs.2,00,000/- to the defacto complainant. However, the petitioners filed a petition in Crl.M.P(MD)No.7747 of 2020 for modification of the above condition and this Court by order dated 23.12.2020 dismissed the said petition. Subsequently, the petitioners have filed second petition for anticipatory bail in Crl.O.P(MD)No.5639 of 2021 and this Court vide order dated 20.04.2021 dismissed the same. Thereafter, the petitioners filed a petition in Crl.M.P(MD)No.3687 of 2021 for extension of time to comply with the above condition and this Court has also extended the time by two weeks on 14.06.2021. Now the present petition is filed again seeking for modification of the condition imposed by this Court on 26.11.2020. Therefore, prayed for dismissal of this petition.

5. Though there is no representation for the petitioners, it is seen from records that this Court has granted anticipatory bail to the petitioners on certain condition vide order dated 26.11.2020. However, the petitioners have filed one petition after the other, however, are not ready to comply with the said condition.

6. The earlier petition for modification and the second anticipatory bail petition filed by the petitioners were already dismissed by this Court and the time was also extended by this Court. Under such circumstances, this court does not find any merit in this petitioner.

7. In fine, this petition stands dismissed.

sd/-
01/11/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE INSPECTOR OF POLICE,
ELAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP (MD) No.6294 of 2021
IN
CRL OP (MD) No.13433 of 2020
Date : 01/11/2021

RS/JM/SAR1 (11.11.2021) 3P 3C