



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

Date : 02/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD) . Nos.10736 and 10954 of 2021

Crl.O.P. (MD)No.10736 of 2021:-

1. T.Jeyasingh
2. S.Sudha Merlin
3. J.Jenisha Singh

... Petitioners/Accused 1 to 3

Vs

The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
Crime No.290 of 2021.

... Respondent/Complainant

Christu Brijit Raj

.. Petitioner/ Intervener
IN CRL MP (MD)No.5750 of 2021
IN CRL OP (MD)No.10736 of 2021

For Petitioners: Mr.S.C.Herold Singh, Advocate

For Respondent : Mr.P.Kottai Chamy, Government Advocate (Crl.Side)

For Intervener : Mr.T.Wins, Advocate

Crl.O.P. (MD)No.10954 of 2021:-

G.Jeyakar Singh

... Petitioners/Accused No.4

Vs

The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
Crime No.290 of 2021.

... Respondent/Complainant

Christu Brijit Raj

.. Petitioner/ Intervener
IN CRL MP (MD)No.6405 of 2021
IN CRL OP (MD)No.10954 of 2021

For Petitioner: Mr.T.Jeen Joseph, Advocate

For Respondent: Mr.P.Kottai Chamy, Government Advocate (Crl.Side)

For Intervener: Mr.T.Wins, Advocate



PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

COMMON PRAYER :- For Anticipatory Bail in Crime No.290 of 2021 on the file of the Respondent Police.

COMMON ORDER : 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, 447 and 379 I.P.C, in Crime No.290 of 2021 on the file of the respondent police, seek anticipatory bail.

2.This Court by order dated 11.08.2021, granted interim protection to the petitioners for a period of two weeks and directed them to appear before the respondent police for interrogation. Despite the same, the petitioners did not appear before the respondent police. When the matter was taken up for hearing on 27.08.2021, the learned counsel for the petitioners stated that the petitioners have not received any summons from the respondent police and that therefore, they did appear before the respondent police for enquiry. Hence, he requested to adjourn the case on 02.09.2021, because the learned senior counsel who is leading the matter is out of station.

3.Considering the said submission made on behalf of the petitioners, this Court extended the interim protection upto 02.09.2021 and the case was adjourned to the said date.

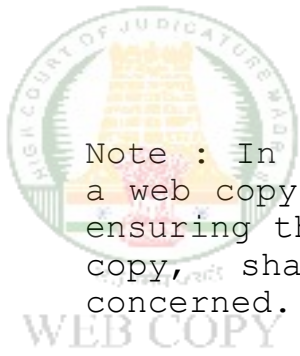
4.When the matter was taken up for hearing today ie., 02.09.2021, the learned Government Advocate (Crl. Side) submits that the petitioners did not cooperate for enquiry. He further submits that the defacto complainant obtained permission from the District Forest Officer for cutting the trees vide proceedings bearing Document No.T1/402/2021. The petitioners claimed that they have right over the property and had taken away the trees on 17.07.2021. The stolen articles are yet to be recovered.

5.Considering the nature of allegations levelled against the petitioners, the fact that the petitioners did not appear before the respondent police for enquiry and the fact that the stolen articles are yet to be recovered, this Court is not inclined to grant anticipatory bail to the petitioners. These criminal original petitions are dismissed.

sd/-
02/09/2021

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE INSPECTOR OF POLICE,
KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-5961[I] dated 03/09/2021)

+1 CC to M/s.T.JEEN JOSEPH, Advocate (SR-5960[I] dated 03/09/2021)

ORDER IN

CRL OP (MD) . Nos.10736 and 10954 of 2021

Date :02/09/2021

IAS

MS/VR/SAR-2/09.09.2021/3P.5C