



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.5207 of 2022

V.RAMAMOORTHY

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
B-2, VISHN KANCHI POLICE STATION,
KANCHEEPURAM, KANCHEEPURAM DISTRICT.
CRIME NO.205 OF 2022

[RESPONDENT]

For Petitioner : M/S. KANCHI G.V.MATHIAZHAGAN Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the offences punishable under Sections 448, 427 of IPC, in Crime No.205 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. On perusal of FIR, this Court finds that the petitioner herein who claims himself as the owner of the building which was seized by the Hindu Religious and Charitable Endowments (HR & CE) Department for non payment of rent. It is further alleged that the petitioner broke open the lock of the premises unauthorizedly and therefore complaint was made against petitioner for the alleged offence under Section 453 IPC, Non-bailable offence attracts.

3. In view of the above, this Court is not inclined to look into those facts, since the person who claims himself as the owner of the superstructure as well as the entire building is liable for the illegal act of breaking the seal affixed by the authorities. Regarding the ownership, the order passed by this Court in C.R.P.No. (NPD).No.2377 of 2018 dated 29.04.2021, clearly indicates that the land belongs to temple and only the superstructure has been put up by third parties.



4. Therefore, this Court finds that this is not a fit case for anticipatory bail and hence the petition for anticipatory bail is dismissed.

WEB COPY

-sd/-

04/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
B-2, VISHN KANCHI POLICE STATION,
KANCHEEPURAM, KANCHEEPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. KANCHI GV.MATHIAZHAGAN Advocate on payment of
necessary charges Sr.3383

CRL OP.5207/2022

Date :04/03/2022

RVR 11/03/2022