



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/01/2022
PRESENT

The Hon`ble Mrs.Justice R.THARANI
CRL OP(MD) . No.1582 of 2022

WEB COPY

1. V.Mathi @ Matheeskumar
 2. M.Velladurai
 3. G.Radhakrishnan
 4. R.Prabakaran @ Mathan Prabakaran
 5. R.Mani @ Thirumalai Velusamy ... Petitioners/Accused No.1 to 5
- Vs

The state represented by
The Inspector of Police,
Chokkampatti Police Station,
Tenkasi District.

Cr.No. 311 of 2021.. ... Respondent/Complainant

For Petitioners: M/s.Indrachithu.T,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.311 of 2021 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused 1 to 5 apprehending arrest at the hands
of the respondent police for the offences punishable under sections
147, 294(b), 323, 506(i) of I.P.C., in Crime No.311 of 2021 on the
file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there is a civil dispute
between the petitioner parties and the defacto complainant parties
over the issue of diverting stream water from the normal course,
leading to interruption of water supply towards the petitioner's
village pond, thereby they assaulted each other.

3.On the side of the petitioner It is stated that there is a
counter case against the defacto complainant in Crime NO.2 of 2022
for the offences punishable under Sections 147, 294(b), 506(ii) of
IPC.

4.On the side of the respondent it is fairly admitted that
there is a counter case against the defacto complainant. The quarrel
between both parties is regarding irrigation of their lands.



5.Considering the submissions made on both side, and that there is a counter case in this matter and considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Tenkasi, Tenkasi District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of one month. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
28/01/2022

/ TRUE COPY /

/ /2022
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 JUDICIAL MAGISTRATE,
TENKASI, TENKASI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
CHOKKAMPATTI POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1582 of 2022
Date :28/01/2022