



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/06/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice **G.ILANGOVAN**

CRL OP(MD). No.11534 of 2022

1. Thirumurugan

2. Mohanraj ... Petitioners/Accused No. 1&2

Vs

The State Rep.by,
The Inspector of Police,
Pasupathipalayam Police Station,
Karur District
(Crime No. 282 of 2022). ... Respondent/Complainant

For Petitioners : Mr.Santhanam Rajesh Kumar.B,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.282 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 448 and 506(ii) I.P.C. in Crime No.282 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant was constructing the hospital in the property, which belongs to him. There was a tree standing in the opposite area. When that was about to be removed, the petitioners alleged to have trespassed into the property, caused damage and also criminally intimidated the defacto



3.The learned Government Advocate (Crl. Side) the respondent submitted that no damage was caused to the property of the defacto complainant.

4.The learned counsel for the petitioners submitted that after 15 days of the alleged occurrence, the case has been registered and the main motive of the defacto complainant is to remove those persons, who are the auto drivers and are parking the autos in the place near the shadow of the aforesaid trees. When the removal of tree was sought to be resisted, trouble has arisen between the parties. The defacto complainant damaged the auto stand board only. He would further submit that no previous bad antecedents is reported against the petitioners.

5.Considering the facts and circumstances of the case and also finding that there was a delay in registering the FIR, this Court is inclined to grant anticipatory bail to the petitioners.

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 Judicial Magistrate Court No.1, Karur, Karur 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. until further orders. 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/-
29/06/2022

/ TRUE COPY /

/07/2022

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

MM

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



To

1. THE JUDICIAL MAGISTRATE COURT NO.1, KARUR, KARUR DISTRICT,
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
3. THE INSPECTOR OF POLICE,
PASUPATHIPALAYAM POLICE STATION,
KARUR DISTRICT
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11534 of 2022

Date :29/06/2022

RK/JM/SAR-II/(15/07/2022) 3P/5C