



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 24/08/2022

PRESENT

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

**CRL OP(MD) . No.12089 of 2022**

Mani

... Petitioner/Accused-3

Vs

State rep.by  
The Inspector of Police,  
Kottampatti Police Station,  
Kottampatti,  
Melur Taluk,  
Madurai District.  
(Crime No.210 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Balameenakshi.J, 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.210 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 447 and 379 IPC I.P.C, in Crime No.210 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Village Administrative Officer lodged a complaint stating that the property in S.No.151/1-3 measuring about 53 Hectares of Government Promboke land in which accused 1 and 2 are enjoying the property and in which patta was granted but without the permission from the Government, they removed the Tamarind tree, which belongs to the Government worth about Rs.15,000/-. Hence, the complaint.



3. The learned counsel for the petitioner submitted that the petitioner herein is the 3<sup>rd</sup> accused and he has removed the tree based on the instruction given by A1 who is the owner of the land.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the value of the removed tree is Rs.15,000/- and the investigation of the case is pending.

5. Considering the nature of offence, the overt act attributed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Melur, Madurai District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.210 of 2022 and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-  
24/08/2022

/ TRUE COPY /

/09/2022

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

TRP

TO

1. THE JUDICIAL MAGISTRATE,  
MELUR, MADURAI DISTRICT.

2. -DO- THROUGH

<https://www.mhc.to.gov.in/judis>  
THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.



3. THE INSPECTOR OF POLICE,  
KOTTAMPATTI POLICE STATION,  
KOTTAMPATTI,  
MELUR TALUK, MADURAI DISTRICT.

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

+1. CC to M/S. BALAMEENAKSHI.J Advocate SR.No.8999

ORDER  
IN  
CRL OP(MD) No.12089 of 2022  
Date :24/08/2022

SP/VR/SAR IV/05/09/2022/3P/6C