



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12533 of 2022

1. Rani
2. Mukesh Kumar
3. Pandi
4. Vijayarani

... Petitioners/Accused Nos.1 to 4

Vs

The State rep.by,
The Inspector of Police,
Thandikudi Police Station,
Thandikudi,
Dindigul District.
Crime No.97/2022.

... Respondent/Complainant

For Petitioner : Mr.J.Lawrance,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

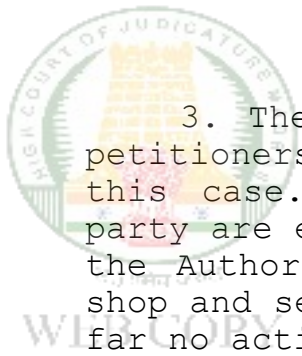
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory Bail in Crime No.97/2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 427 and 506(i) of IPC in Crime No.97 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a fast food shop and petty shop and apart from one meat shop in that area. On 11.06.2022, the accused person were cutting the trees which was standing behind the shops. When the branches were cut, it fell on one of the shops and it was damaged. When that was questioned and enquired, they were criminally intimidated. Hence, the complaint.



3. The learned counsel for the petitioners submitted the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the defacto complainant party are encroachers and the encroachment is going to be removed by the Authorities. The defacto complainant is also running a liquor shop and selling Ganja and when that was intimated to the police, so far no action has been taken.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that investigation is still pending. The accused persons by cutting the trees caused damages worth about Rs.20,000/- to the defacto complainant's shops. But, the damages were not mentioned in the FIR.

5. On the side of the respondent some photographs were produced before this Court. Though the cost of damages were not mentioned in the FIR, the photographs shows that the cutting branches fell down on the shops and the shops were damaged entirely. Whether the allegation is true or not cannot be considered by this Court. But the damages were recorded. Therefore, the petitioner must deposit a sum of Rs.15,000/- to the credit of crime number before the concerned Court.

6. Therefore, on the above condition, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Cr.No.97 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

8. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Kodaikanal, 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.

9. 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/-

12/07/2022

/ TRUE COPY /

/07/2022

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,
KODAIKANAL.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.
 - 3 THE INSPECTOR OF POLICE
THANDIKUDI POLICE STATION, THANDIKUDI,
DINDIGUL DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.J.LAWRANCE, Advocate SR.No.6984.

ORDER
IN
CRL OP(MD) No.12533 of 2022
Date :12/07/2022

TM
MK/PN/SAR.I/19.07.2022/3P/6C