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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13025 and 12991 of 2022

1. Maharajan
2. Palani @ Palanivelrajan
3. Thangadurai
4. Kurukkudurai Panni Udayar @ Udayar,

... Petitioners/Accused No.2,3,4 & 5
in CRL OP(MD)No.13025 of 2022

P.Jeganathan @ Ganesan

... Petitioner/Accused No.11523
in CRL OP(MD)No.12991 of 2022

Vs

The State rep.by,
The Inspector of Police,
Junction Police Station,
Tirunelveli District.
Crime.No.226 of 2022.

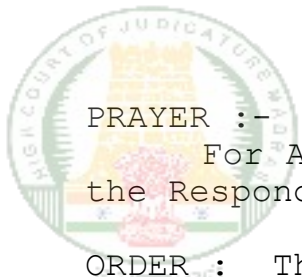
... Respondent/Complainant
in both cases

For Petitioners : M/s. Anto Prince.G, Advocate
in Crl.O.P.13025/2022

For Petitioner : Mr. R.Anand, Advocate
in Crl.O.P.12991 /2022

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)
in both O.Ps.

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



PRAYER :-

For Anticipatory Bail in Crime No. 226 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

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The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 448, 435, 380(NH) IPC, in Crime No.226 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the defacto complainant's son was watering the trees and plants in his premises, the accused persons said to have trespassed into the de facto complainant's son's training centre and had taken away Silambam equipment worth Rs.85,000/-. Hence, the complaint.

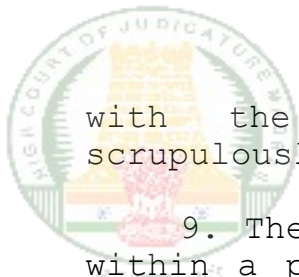
3. The learned counsel for the petitioners in Crl.O.P(MD). No.13025 of 2022 submitted that A2 to A5 are Kooli workers and they have not committed any offence as alleged by the prosecution. The learned counsel for A1 submitted that due to previous motive a false complaint has been against A1.

5. The learned Government Advocate (Crl. Side) for the respondent police submitted that the damage caused is worth about Rs.85,000/- and the investigation of the case is pending.

6. Even though some sort of defence made by the counsel for the first accused that cannot be decided at this stage, hence, the amount to be deposited by the first accused which is mentioned in the FIR.

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

8. 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 No.IV, Thirunelveli, Thirunelveli 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 on further condition that the petitioner / A1 in Crl.O.P(MD).No.12991 of 2022 shall deposit a sum of Rs.85,000/- (Rupees Eighty Five Thousand only) to the credit of Crime No.226 of 2022, on the file of the concerned Magistrate and the petitioners, except A1, shall appear before the respondent police once in a month i.e., on first working day of every month at 10.30 a.m., until further orders and the petitioner / A1 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 ,
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/-
03/08/2022

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/08/2022

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

TRP

TO

1. THE JUDICIAL MAGISTRATE NO.IV,
THIRUNELVELI, THIRUNELVELI DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
JUNCTION POLICE STATION, TIRUNELVELI
DISTRICT. CRIME.NO.226 OF 2022.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. ANTO PRINCE.G Advocate SR.No35810(f)

+1. C.C. to M/S.R.ANAND, Advocate, SR.No.8122

ORDER
IN
CRL OP(MD)No.13025 &12991 of 2022
Date :03/08/2022

RK/SVR/SAR-III (17/08/2022) 3P/7C