



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.13644 of 2022

1. K.Dharmalingam
2. Mani
3. Kalyanithevar
4. Lakshmi
5. Vanathai
6. Chinnan

... Petitioners/Accused Nos.1 to 6

Vs

The State rep.by
The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
Crime No.119 of 2022.

... Respondent/Complainant

For Petitioner : MR.MARAN.M, 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.119 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 147, 447, 427, 294(b) and 506(i) IPC in Crime No.119 of 2022 on the file of the respondent police.

2.The case of the prosecution is that on 11.07.2022, the accused persons caused damage worth about Rs.5,000/- to the irrigation pipes, over which the complaint has been given. Later, on 20.07.2022 at about 07.00 am,., when the defacto complainant along with his brother was in the property, the accused persons came there, made criminal trespass and again caused damage to the



irrigation pipes. He was also criminally intimidated, over the present case has been registered.

3.The learned counsel for the petitioners submits that the petitioners are in possession of the aforesaid property and have filed a suit in O.S.No.90 of 2022 before the District Munsif Court, Usilampatti. Summon has also been ordered to the defendants. Pending the aforesaid suit, the present complaint has been given.

4.On the previous occasion, the 1st petitioner filed Crl.O.P. (MD) No.13063 of 2022 seeking a direction to the respondent police not to interfere in the civil dispute that was existing between him and the defacto complainant and at that time, the respondent police appears to have informed the Court that the matter was closed. But on the same day itself, the present First Information Report came to be registered. Now, whatever it may be, whether the petitioners are in possession of the property or not is a matter for consideration by the civil Court and is a matter for investigation.

5.Since there is a damage worth about Rs.5,000/-, 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 learned Judicial Magistrate No.I, Usilampatti, 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. The petitioners shall deposit a sum of Rs.5,000/- to the credit of Crime No.119 of 2022 before the learned Judicial Magistrate No.I, Usilampatti.

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 shall stand dismissed.

sd/-

28/07/2022

/ TRUE COPY /

/08/2022

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



TO

1 THE JUDICIAL MAGISTRATE NO.I,
USILAMPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
USILAMPATTI TALUK POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.MARAN.M Advocate SR.No.7801

ORDER

IN

CRL OP (MD) No.13644 of 2022
Date :28/07/2022

MM

SA/PN/SAR.3/11.08.2022/3P/6C