



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13949 of 2022

1. Arikrishnan,
2. Suresh,
3. Kandhasamy,
4. Esakkiammal,
5. Murugan,
6. Kombaiah,
7. Karthick,

... Petitioners/Accused Nos. 1 to 7

Vs

State Rep.by
The Inspector of Police,
Valliyoore Police Station,
Tirunelveli District.
Crime.No. 166 of 2022.

... Respondent/Complainant

For Petitioner : MR.P.Ponraj, Advocate.

For Respondent : MR.B.THANGA ARAVINDH,
Government Advocate (Crl.Side)

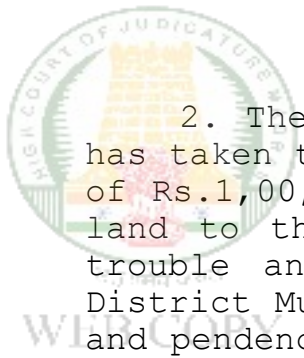
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 166 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 427, 447 and 506(2) IPC, in Crime No.166 of 2022 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the defacto co-accused it has taken the property belongs to the temple for lease for the value of Rs.1,00,000/-. Then, the Managing Trustee had given 5 Cents of land to them for the above said amount. Due to which, there was trouble and the suit in O.S.No.49 of 2022 was filed before the District Munsif Court, Valliyoor. Because of the said civil issue and pendency of the case on 10.07.2022 at about 9.45 pm the accused persons unlawfully assembled and attacked the defacto complainant and others. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is land dispute between the parties. The injured sustained simple injuries and discharged from the hospital. There is no previous case against the petitioners. He would further submit that the co-accused have already been granted anticipatory bail by this Court in Crl.O.P(MD).No.13505 of 2022, dated 27.07.2022.

5. Considering the nature of offence, the overt act attributed against the petitioners, the injured person has been discharged from the hospital and the co-accused have already been granted anticipatory bail by this Court in Crl.O.P(MD).No.13505 of 2022, dated 27.07.2022, 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, Valliyoor, Thirunelveli 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/-

02/08/2022

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/08/2022

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



TO

1 THE JUDICIAL MAGISTRATE,
VALLIYOOR, TIRUNELVELI.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.13949 of 2022
Date :02/08/2022

TRP
PKP/JM/SAR-2 /05.08.2022/3P/5C