



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05/08/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14207 of 2022

Mathivanan

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Thirunagar Police Station,
Madurai City.
Crime No.255 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Sujatha R,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

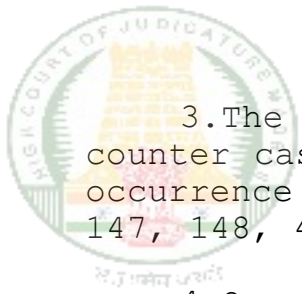
PRAYER :-

For Anticipatory Bail in Crime No.255 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294(b), 323, 341, 447, 427 and 506(i) of IPC, in Crime No.255 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is owned a land in S.No.361/7A1A1 measuring about 1.39 acres by way of purchase. On 28.07.202, the de-facto complainant was putting the fence, also levelling the area, at that time, the accused person trespassed into the de-facto complainant's property, assaulted him, criminally intimidated and also caused damage to the JCB vehicle, which is used for levelling the ground. Based upon the above said occurrence, the present case in Crime No.255 of 2022 has been registered.



3.The learned counsel for the petitioner would submit a counter case has also been registered on the basis of the very same occurrence in Crime No.256 of 2022 for the offences under Section 147, 148, 447, 324 and 506(i) IPC.

4.On reading of the complaint, it shows that the disputed property, whereunder, the possession of the accused herein and over the above said title issue, the accused in this case tried to level the ground, over which, the trouble arose, in which, the petitioner's party also sustained injuries. On reading of the case and counter case also, it shows that because of the above said title issue only, the trouble arose between the parties, in which, both sides parties caused injuries to each other and the petitioner along with other accused had also caused damage to the JCB vehicle. The photo is also produced.

5.The learned Government Advocate (Crl.side) would submit that the damage is worth about Rs.25,000/-.

6.Considering the nature of offence, the overt act attributed against the petitioner and the counter case is pending against the de-facto complainant, this Court is inclined to grant anticipatory bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Crime No.255 of 2022 on the file of the learned Judicial Magistrate concerned.

7.On such deposit being made, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate Court No.6, Madurai, 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 the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-

05/08/2022

/ 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 concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.6,
MADURAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
THIRUNAGAR POLICE STATION,
MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.14207 of 2022

Date :05/08/2022

sj i

USK/VR/SAR-III/16.08.2022/3P/5C