



WEB COPY



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

Date : 27/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.16725 of 2022

1. Muthuppandi
2. Pandi @ Pandidurai
3. Marisamy
4. Rajkumar
5. Palanisamy
6. Rasamani @ Rasamani Aasari
7. Ramar
8. Jeyaraj
9. Esakki @ Esakkiammal
10. Sudalaikani
11. Kalyani

... Petitioners/Accused
No.1 to 11

Vs

State rep.by
The Inspector of Police,
Vasudevanallur Police Station,
Tenkasi District.
(Crime No.195 of 2022).

... Respondent/Complainant

M.Ponnuchamy

... Petitioner/Defacto
Complainant
(in Crl.M.P.(MD)No.11727/2022)

For Petitioners : M/s.Thalaimutharasu G, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

For Intervenor : Mr.R.Shankar Ganesh, Advocate



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

PRAAYER :-

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For Anticipatory Bail in Crime No.195 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

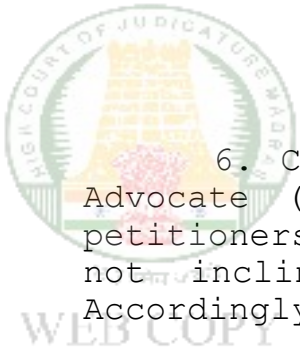
The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 427 and 506(i) IPC, in Crime No.195 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is enjoying the property of Government Promoboke land and hence, the peitioners have questioned the same. Due to which, there was a wordy quarrel arose between them and that the petitioners have attacked the defacto complainant with hands and also abused him in filthy language. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners herein are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. He would further submit that Civil suit filed by the defacto complainant's family was dismissed by the Court below and thereafter, the defacto complainant's are in possession and enjoyment of the prayaed and he prayed for granting anticipatory bail to the petitioners.

4. The learned counsel appearing for the defacto complainant submitted that the property belonged to the defacto complainant and now, the real estate people in the village were trying to purchase the above said propety and on the refusal of the defacto complainant's family, they instigated the villagers and trying to grab the defacto complainant's family property and hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that there was a civil dispute between the parties and now, the defacto complainant is in possession of the property. He would further submit that the petitioners have damaged the property belonged to the defacto complainant worth Rs.1,50,000/- and also threatened him with dire consequences. He further submitted that some of accused persons were arrested and remanded to judicial custody and the A3 is having 11 previous cases. Hence, he strongly opposed to grant anticipatory bail to the petitioners.



6. Considering the submission made by the learned Government Advocate (Crl. Side) appearing for the respondent and that the petitioners have committed serious nature of offence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
27/09/2022

/ TRUE COPY /

/10/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE INSPECTOR OF POLICE,
VASUDEVANALLUR POLICE STATION,
TENKASI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16725 of 2022
Date :27/09/2022

SP/VR/SAR I/13/10/2022/3P/3C