



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

Date : 21/12/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN
CRL OP(MD). No.22619 of 2022

WEB COPY

1. M.Palanisamy
 2. P.Manikkam @ Manickavasagam
 3. M.Poongodi
 4. P.Renugadevi
 5. M.Vishnukumar
- ... Petitioners/Accused No.1 to 5
- Vs

The State rep.by,
The Inspector of Police,
Aundipatty Police Station,
Theni District.
Cr.No.383/2022.

... Respondent

For Petitioner : M/s Mari Chelliah Prabhu.C.M, Advocate.

For Respondent : Mr.K. Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

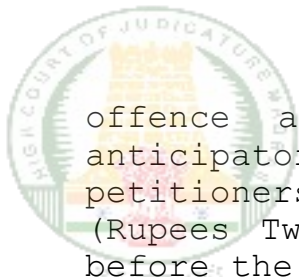
For Anticipatory Bail in Crime No.383/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 447, 427, 294(b) and 506(i) IPC, in Crime No.383 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute the petitioners entered into the agricultural land belonging to the defacto complainant, and damaged the mulberry saplings worth about Rs.40,000/-. On questioning, the petitioners have threatened the defacto complainant with dire consequences and also abused him in filthy language. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any



offence as alleged by the prosecution and hence, is anticipatory bail. However, to show their *bona fide*, the petitioners have come forward to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Cr.No.383 of 2022 before the trial Court concerned.

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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that due to civil dispute, the petitioners entered into the agricultural land belonging to the defacto complainant and plucked the mulberry saplings worth Rs.40,000/- and hence, he opposes to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and that it is a case of civil dispute and that the petitioners are ready to deposit a sum of Rs.20,000/- to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Cr.No.383 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the Judicial Magistrate, Aundipatty, Theni 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 the petitioners shall appear before the respondent police twice a month i.e., on 1st and 15th day of every month at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-

21/12/2022

/ TRUE COPY /

/01/2023

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

trp



TO

1. THE JUDICIAL MAGISTRATE, AUNDIPATTY, THENI DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3. THE INSPECTOR OF POLICE,
AUNDIPATTY POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s. MARI CHELLIAH PRABHU.C.M, Advocate (SR-15232[I] dated
21/12/2022)

ORDER

IN

CRL OP(MD) No.22619 of 2022

Date : 21/12/2022

RK/SSS/SAR-3 (04/01/2023) 3P/6C