



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

Tuesday, the Fourteenth day of March Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.5842 of 2021

IN

CRL OP(MD) No.6721 of 2020

G.BALASUBRAMANIAN

... PETITIONER/DEFACTO COMPLAINANT

Vs

1 S.KRISHNAN

2 MALLIGA

3 S.KRISHNAN

4 ARMUGAM

5 SELVAN

6 KARUPPUSAMY

7 ARULSELVAN

8 KAMALAKANNAN

... RESPONDENTS 1 TO 8/PETITIONERS 1 TO 8

9 State Rep.by

THE INSPECTOR OF POLICE

PALANI TALUK POLICE STATION,

DINDIGUL DISTRICT.

(CR.NO.113 OF 2020)

... 9TH RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Cancel the anticipatory bail granted to the respondents 1 to 8 and consequently direct the R2 to arrest the respondents 1 to 8 in Crl.O.P. (MD) No. 6721/2020 by order dated 06.07.2020 in connection with Crime No. 113/2020 on the file of the 9th respondent to arrest the respondents 1 to 8 and commit them.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.SHANMUGARAJA SETHUPATHI D, Advocate for the petitioner and of MR.D.VENKATESH, Advocate on behalf of the Respondent Nos.1 to 8 and MR.B.THANGA ARAVINDH, Government Advocate (Crl.Side) on behalf of the 9th Respondent, the court made the following order:-

This petition has been filed to cancel the anticipatory bail granted to the first respondent in Crl.O.P.(MD)No.6721 of 2020 dated

<https://www.crl.org.in/> 06.07.2020.



2.This petition has been filed on the ground that respondent police failed to state about the previous cases while the petition for anticipatory bail was considered by this Court. Even after granting of anticipatory bail, the accused persons was disturbing the possession and enjoyment of the property.

3.The learned counsel appearing for the respondents 1 to 8 would submit that the total extent of property is 80 acres, in which, the respondents 1 to 8 purchased to the extent of 29 acres. In this regard, the respondents 1 to 8 filed suit for declaration and injunction in O.S.No.124 of 2013 on the strength of the sale deed. An order of interim injunction granted in their favour. They also filed a petition before this Court seeking police protection, in which, this Court recorded that both the parties were directed to wait till the disposal of the suit in O.S.No.124 of 2013 and the parties were directed to maintain peace without making trouble to each other. Now on the very same ground, the petitioner filed the present petition to cancel anticipatory bail granted to the respondents 1 to 8.

4.It is seen that the ninth respondent police completed the investigation in Cr.No.113 of 2020 and filed final report, which has been taken cognizance in C.C.No.280 of 2022 by the learned Judicial Magistrate, Palani. The petitioner herein failed to make out a case to cancel the anticipatory bail granted to the respondents 1 to 8. Accordingly, this criminal original petition is dismissed.

sd/-

14/03/2023

/ TRUE COPY /

/03/2023

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

gns

TO

- 1 THE JUDICIAL MAGISTRATE, PALANI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, PALANI TALUK POLICE STATION,
DINDIGUL DISTRICT.

+1. C.C. to M/S.VENKATESH D Advocate SR.No.15228[F]

ORDER IN

CRL MP(MD) No.5842 of 2021

IN CRL OP(MD) No.6721 of 2020

Date :14/03/2023