



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

Date : 12/07/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12660 of 2023

1.Palaniyappan

2.Ganesan

3.Subramanian

... Petitioners /Accused Nos.1,2 & 6

Vs

The State represented by
The Inspector of Police,
Panayapatti Police Station,
Pudukottai District.
(Crime No.33 of 2023.)

... Respondent / Complainant

For Petitioner : Mr.Sulthan Basha.J, Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.33/2023 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused No.1, 2 and 6, apprehending arrest at
the hands of the respondent police for the alleged offence
punishable under Sections 147, 294(b), 427, 506(i) I.P.C., in Crime
No.33 of 2023 on the file of the respondent Police, seek
anticipatory bail.

2. It is issue between the petitioners and the defacto
complainant over the property, because of that, the petitioners
along with other accused persons trespassed into the property of the
defacto complainant and gave a life threat. Hence, the complaint.

<https://www.mhc.tn.gov.in/judis> 3. The learned counsel for the petitioners submitted that the



petitioners are innocent and they have been falsely implied in this case. The petitioners and the defacto complainant are neighbors. There is an existing civil dispute between them. It is a case and counter case. The co-accused were granted anticipatory bail by the Principal District and Sessions Judge, Pudukkottai.

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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a case and counter case. Damage was caused by the petitioners to the property of the defacto complainant worth about Rs.10,000/-.

5. Considering the nature of offence, it is a case and counter case and the petitioners and defacto complainant are neighbors, 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, Thirumayam, on condition that the petitioners shall deposit Rs.10,000/- jointly to the credit of this crime number before the concerned trial Court and 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/-

12/07/2023

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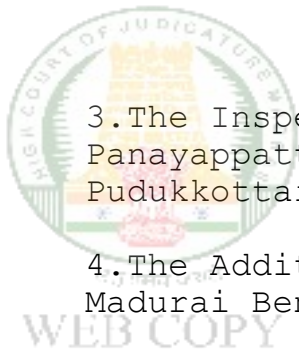
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

To

1.The Judicial Magistrate,
Thirumayam.

2.Do through the Chief Judicial Magistrate,
Pudukottai District.



3.The Inspector of Police,
Panayappatti Police Station,
Pudukkottai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.12660 of 2023

Date :12/07/2023

ED/MMS/SAR- (17/07/2023) 3P 5C