



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/07/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12773 of 2023

1.Thennarasu,
2.Karuppaiah,
3.Subramani,
4.Muniyandi,
5.Subramani,
6.Vairamuthu,
7.Mahalingam,
8.Maruthamuthu,
9.Arumugam,
10.Panchalirajan,
11.Paulpandi,
12.Prabhu,
13.Veerassamy,
14.Thiruppathi,
15.Kodimunthiri,
16.Azhagupandi,
17.Balamurugan,
18.Palraj,
19.Thanuskodi,
20.Sundaramoorthy,
21.Murugan,
22.Thangeswaran,
23.Rajaguru

... 1 to 23rd Petitioners/Accused No.5 to 27

24.Ponraj,

... 24th Petitioner/Accused No.33

Vs

State Rep.by
The Inspector of Police,
Peraiyur Police Station,
Madurai District.
Crime No.125 of 2023.

... Respondent/Complainant

For petitioners : Mr.A.Saravanan, Advocate.
For Respondent : Mr.B.Nambiselvam,
Additional Public Prosecutor



PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.125 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.5 to 27 and 33, who were arrested on 26.06.2023 for the alleged offence under Sections 147, 148, 294 (b), 323, 332, 353, 355, 307 and 506(ii) IPC, in Crime No.125 of 2023, on the file of the respondent Police, seeks bail.

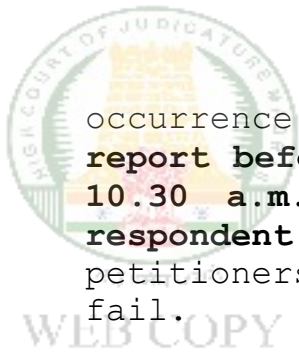
2.The prosecution case is that the defacto complainant is a Block Development Officer of T.Kallupatti Panchayat Union, Madurai Taluk. When the revenue officials and Police went to the place of occurrence to comply the order that was passed in W.P(MD) No.4994 of 2022, dated 22.03.2022 that for clearing some encroachments at S.Melapatti, the petitioners and other accused threatened the public and said officials and also assaulted them using wooden stick and scolded them in filthy language. In the said assault, the Police officials and revenue officials got injured. 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. Further he would submit that the petitioners were arrested before removing the encroachments which was stated in the FIR itself.

4.The learned Additional Public Prosecutor appearing for the respondent Police fairly submitted that because of removal of the above said flag post that was put up by the accused person at S.Melapatti, by the revenue officials and Police, in which this petitioners also participated. Now the Police picketing is ordered in the above said locality. Subsequent event took place in the form of W.P(MD) No.15520 of 2023, dated 30.06.2023 and the matter is going to be settled amicably between the parties. Now the matter has become die down for the present.

5.Considering the fact and circumstances of this case and considering the period of incarceration and there is no previous case pending against the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions;

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a personal 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 Judicial Magistrate, Peraiyur, Madurai District**, and on further condition that the petitioners shall stay away from the



occurrence place and shall stay at Trichy for 15 days. [1]
report before the learned Judicial Magistrate No.I, Trichy daily at
10.30 a.m. Thereafter, the petitioners shall report before the
respondent Police daily at 10.30 a.m., until further orders. The
petitioners are directed to comply the above said direction without
fail.

sd/-

13/07/2023

/ TRUE COPY /

13/07/2023

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

Indu

TO

- 1 THE JUDICIAL MAGISTRATE, PERAIYUR, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, PERAIYUR POLICE STATION,
MADURAI DISTRICT.
- 4 THE SUPERINTEDENT, CENTRAL PRISON, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TRICHY.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- +2 CC to M/s.A.SARAVANAN, Advocate (SR-10630[I] dated 13/07/2023)

ORDER

IN

CRL OP(MD) No.12773 of 2023

Date :13/07/2023

RS/VR/SAR-(13.07.2023) 3P 10C