



CRL OP(MD). No.13048 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1.Inkulap @ Muniyandi
2.Pandiyarajan
3.Periyasamy
4.Gurusamy
5.Koodammal
6.Sudha

... Petitioners/ Accused No.1 to 4, 31 and 32

Vs

State represented by
The Inspector of Police,
Peraiyur Police Station,
Madurai District.
(In Crime No.125 of 2023)

... Respondent/ Complainant

For Petitioners : M/s.A.Saravanan,Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

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

ORDER : The Court made the following order :-



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The petitioners / Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 332, 353, 355, 307 and 506(ii) of IPC, in Crime No.125 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution 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. The co-accused in this case has been granted bail by this Court. Therefore, seek for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that peace committee meeting will be convened, following the earlier order of this Court. The



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fifth accused has been granted bail by this Court.

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5. Taking into consideration the facts and circumstances of the case and considering the subsequent development, this Court is inclined to grant anticipatory 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 in the event of arrest or on their appearance, before the learned Judicial Magistrate, Peraiyur, Madurai 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 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/-
18/07/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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PNN
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 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC to M/s.A.SARAVANAN, Advocate (SR-10864[I] dated 18/07/2023)

ORDER
IN

CRL OP(MD) No.13048 of 2023

Date :18/07/2023

PKP/MMS/SAR- /02.08.2023/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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