



Crl.OP(MD)No.13250 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 18/08/2023

PRESENT

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.13250 of 2023

1.Pitchiah
2.Chandran
3.Rajamanikam
4.Rathina Sabapathy
5.Manickavasagam
6.N.Subbiah
7.Ponnaiah Gurukkal
8.Sundaramoorthi
9.Annamalai
10.Murugan
11.Senthil Kumar

: Petitioners/ Accused Nos.1 to 11

Vs.

1. The State rep. by
The Sub Inspector of Police,
Uvari Police Station,
Uvari,
Tirunelveli District.
(Crime No.89 of 2023)

: Respondent / Complainant

2.S.Rathinam

... Petitioner / Intervener
in CRL MP(MD) No.11152 of 2023

3.P.K.S.T.Radhakrishnan

... Petitioner / Intervener
in CRL MP(MD) No.11724 of 2023



Crl.OP(MD)No.13250 of 2023

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For Petitioners : Mr.S.Palani Velayutham, Advocate
For Respondent : Mr.R.Suresh Kumar
Government Advocate (Criminal side)
For Intervenor/
P.K.S.T.Radhakrishnan : Mr.V.Chandrasekar, Advocate
For Intervenor/
S.Rathinam : Mr.N.Pragalathan, Advocate

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

PRAYER:- For Anticipatory Bail in Crime No.89 of 2023 on the file of the Respondent Police.

ORDER: The Court made the following order:-

The petitioners, who are arrayed as A1 to A11 apprehends arrest at the hands of the respondent police for the offences punishable under sections 147, 341, 294(b), 323 and 506(ii) IPC, in Crime No.89 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution in brief:- The de-facto complainant lodged a complaint stating that he is working as Hereditary Trustee of Arulmighu Suyambulingaswamy Thirukoil situated in Uravai and also an 'Archakar' as per the order of the Hindu Religious and Charitable Endowment Department. Some of the accused persons claiming themselves as Poojari and they are making frequent



Crl.OP(MD)No.13250 of 2023

WEB COPY

trouble, even police protection was recommended for them. Since no action was taken by the police, they also filed WP(MD)No.11977 of 2021. That was also ordered.

On 10/04/2023, at about 10.30 am, the de-facto complainant went to the temple for performing pooja. At that time, the accused persons prevented them from entering into the temple. They were abused in filthy language. They were also pushed down and caused assault. On the basis of the above said occurrence, a case in Crime No.89 of 2023 for the offences under sections 147, 341, 294(b), 322 and 506(ii) IPC.

3. Seeking anticipatory bail, this petition has been filed by the petitioners stating that they are poojaries performing pooja as per the order passed by this Court in S.A(MD)No.412 of 2004; Only the de-facto complainant's party are preventing them from performing their duty.

4. The intervenors also come on record and stated that the de-facto complainant and others were recognized and lawfully appointed as Priests, but these petitioners are making frequent trouble, causing disturbance to day today pooja to the temple. They would also reply upon the order passed by the Joint Commissioner, Tirunelveli and apart from that, it is also submitted that because of the frequent trouble made by the petitioners, a case in Crime Nos.40, 89 and 101 of 2023 have been registered and in spite of that, the petitioners continuously involved in making the trouble.



Crl.OP(MD)No.13250 of 2023

WEB COPY

5. Reading of the above said FIR shows that frequent trouble has been made by the petitioners. In spite of repeated registration of the FIRs, the petitioners have not stopped their illegal activities. Even though, it is has been submitted by the petitioners that it is civil dispute between them, over which, a civil suit is also pending.

6. I find no reason to entertain this petition, since continuously the petitioners are engaging in making trouble. Considering the conduct of the petitioners, this court is not inclined to grant anticipatory bail to the petitioners.

7. In the result, this criminal original petition is dismissed.

sd/-
18/08/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ER

To

1. The Sub Inspector of Police,
Uvari Police Station,
Uvari, Tirunelveli District.

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



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Crl.OP(MD)No.13250 of 2023

ORDER

IN

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Date :18/08/2023

ED/VR/SAR- (07/09/2023) 5P / 3C

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