



CRL OP(MD). No.13695 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Raja Gunalan Durai @ Gunalan,
2. Gnanaraj,
3. David Raj @ David Raja,
4. Devairakkam,
5. Chanthirasekar @ Sekar,
6. David Kovil Mani @ David Kovil Pillai,
7. Vethamani,
8. Navamani,
9. Jeyaseeli,
10. Christy Annapackiyam @ Annapackiyam
11. Susai Mary @ Soosai Marry, ... Petitioners/ Accused No.1 to 11

Vs



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The State rep.by,
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
Crime No.126/2023.. ... Respondent/Complainant

For Petitioners : M/s.Sivabalan.K,
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.126/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused herein, who was arrested for the alleged offence under Sections 147, 148, 447 and 506(2) of IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992, in Crime No.126 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 15.06.2023, at about 10.30 p.m, the petitioners along with the other accused persons went to the defacto complainant's



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company and damaged the bore wells and the barbed fences, worth about Rs.1,00,000/- (Rupees One Lakhs only). Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. He further submitted that because of the pollution that was made by the above said company, the village people went to the company and created problem.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the peace committee meeting was conducted. Resolution was also adopted in the peace committee meeting, in spite of that the petitioners have not stopped their activities.

5. The learned counsel for the petitioners submitted that On the earlier occasion, after hearing both side counsels, this Court directed the petitioners to file an undertaking affidavit stating that they will not make any trouble to the defacto complainant's company. As per the direction of this Court, today, the petitioners have filed the undertaking affidavit before this Court.



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6. Considering the facts and circumstances of the case and also considering the undertaking affidavit filed by the petitioners that that they will not make any trouble to the defacto complainant's company, this Court is inclined to grant anticipatory bail to the petitioners with stringent conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate Court, Kadaladi, Ramanathapuram District, and on their executing 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 on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.



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9. If there is any violation of affidavit or if any fresh case is registered against the petitioners, the anticipatory bail granted by this Court shall stand cancelled automatically without any reference to the Court.

sd/-
10/08/2023

/ TRUE COPY /

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

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TO

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

+1 CC to M/s.K.SIVABALAN, Advocate (SR-12096[I] dated 10/08/2023)

ORDER IN
CRL OP(MD) No.13695 of 2023
Date :10/08/2023

RK /VRS(08/09/2023) 5P / 6C

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