



CRL OP(MD). No.13858 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Rengar,
 2. Periyasamy,
 3. Dhanapal,
 4. Anbalagan,
 5. Senthil,
 6. Krishnan @ Krisnamoorthy,
 7. Palanisamy,
- ... Petitioners/ Accused Nos. 1 to 7

Vs

State Rep.by
The Insepctor of Police,
Thogamalai Police Station,
Karur District.
(Crime No.327 of 2023).

... Respondent/Complainant

For Petitioners : M/s. Karuna.V,Advocate.

For Respondent : Mr.S.Manikandan,

Government Advocate (Crl.Side)



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

PRAYER :-

For Anticipatory Bail in Crime No.327 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 447, 435, 294(b) and 506(i) of IPC, in Crime No.327 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that at about 13.05.2023, at about 04.00 p.m, the petitioners trespassed into the defacto complainant's land and cut the trees. The same was questioned by the defacto complainant, thereafter, on 04.07.2023, at about 04.00 p.m., the petitioners set fire the trees. Hence the complaint.

3.The learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. However, to show their bona fide, the petitioners have come forward to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) jointly, to the credit of Cr.No.327 of 2023 before the trial Court concerned.



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4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that no previous case is pending against the petitioners.

5. On the earlier occasion, this Court directs the respondent police to make a personal visit to the occurrence place and file a report before this Court. The respondent police is present before this Court and he has produced VAO certificate.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) jointly, to the credit of Cr.No.327 of 2023 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. 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 No.I, Kulithalai, 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 petitioner shall appear before the respondent Police on every Saturday at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



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8. 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/-
09/08/2023

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/08/2023

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

TTA

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
KULITHALAI
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
- 3 THE INSEPCTOR OF POLICE
THOGAMALAI POLICE STATION,
KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+2 CC to M/s.V.KARUNA, Advocate (SR-12081[I] dated 10/08/2023)

ORDER
IN

CRL OP(MD) No.13858 of 2023
Date :09/08/2023

PKP/BUC/SAR- /18.08.2023/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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