



CRL OP(MD). No.13930 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 31/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13930 of 2023

1.Ananthan Muthukalai
2.R.Nayam

... Petitioners / 1st & 2nd Accused

Vs

State Rep.by
The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
Crime No.237 of 2023.

... Respondent/Complainant

For Petitioners : M/s.E.Satheesh, Advocate
For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.side)

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

PRAYER :-

For Bail in Crime No.237 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2 herein, who was arrested on 13.07.2023 for the alleged offence under Sections 294(b), 447, 323, 324, 427 and 506(ii) of IPC in

Crime No.237 of 2023, on the file of the respondent police, seeks bail.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.13930 of 2023

2. The case of the prosecution is that the defacto complainant is the owner of the land situated near Petchiamman Temple at U.Ammapatti. The defacto complainant visited his land to unload the construction materials on his land. At that time, the petitioners had entered quarrel with the defacto complainant and prevented him from unloading the materials. Thereafter, the petitioners joined with other accused, assaulted the defacto complainant and caused injury to him.

3. The learned counsel for the petitioner would submit that there is pending dispute between the parties on the ownership of the above said land, as the petitioners and their husbands had purchased the same from the original owners. The same was not accepted by the defacto complainant and he tried to harass the petitioners and other accused persons. Due to above said enmity, the defacto complainant and others assaulted the petitioners and their husband and caused injury to them.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that it is the case and counter case in Crime No.238 of 2023 and injured in both cases have been discharged from the hospital. Co-accused has been granted bail on the same ground.

5. It is the land dispute between two neighbours. Due to the above said dispute, the present occurrence said to have taken place and there was an exchange of



CRL OP(MD). No.13930 of 2023

words between the parties. It is the case and counter case and injured in both cases have been discharged from the hospital.

6. Considering the facts and circumstances of this case and considering that injured have been discharged from the hospital and it is the case and counter case and also the fact that the co-accused has been released, this Court is inclined to grant bail to the petitioners.

7. 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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Uthamapalayam, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
31/07/2023

/ TRUE COPY /

31/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

To

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.



CRL OP(MD). No.13930 of 2023

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE, UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, UTHAMAPALAYAM, THENI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.E.SATHEESH, Advocate (SR-11514[I] dated 31/07/2023)

ORDER
IN

CRL OP(MD) No.13930 of 2023

Date :31/07/2023

RS/VR/SAR-(31.07.2023) 4P 7C

Madurai Bench of Madras High Court is issuing
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