



CRL OP(MD). No.15447 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 08/09/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.15447 of 2023

1.Manimegalai

2.Ayyappan

3.Thangakumar

4.Sakkarapani

... Petitioners/ Accused Nos.1 to 4

Vs

The State, represented by  
The Inspector of Police,  
Peraiyur Police Station,  
Madurai District.  
Crime No.139 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.Venkatesubramanian.S,  
Advocate.

For Respondent : Mr.R.Suresh Kumar,  
Government Advocate (Crl.Side)

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



CRL OP(MD). No.15447 of 2023

PRAYER :-

For Anticipatory Bail in Crime No.139/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 to A4 apprehend arrest at the hands of the respondent police for the offences punishable under sections 147, 294(b), 341 and 353 IPC, in Crime No.139 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant working as Sub Registrar, in charge of Peraiyur, Madurai South Registrar District. He lodged a complaint stating that on 13/07/2023 at about 01.00 pm, when he was doing his official duty, one document writer by name Manimegalai, her brother Ayyappan, her Driver Thangakumar and Typist Sakkarapani along with brokers trespassed into the office, prevented him from discharging his official duty, insulted by calling his caste name. They also prevented the public from entering into the office. In spite of repeated request, they did not stop their unruly behaviour. The above said occurrence was captured in CCTV camera. On the basis of the above said occurrence, a case in Crime No.139 of 2023 for the offences under sections 147, 294(b), 341 and 353 IPC, was registered.



CRL OP(MD). No.15447 of 2023

WEB COPY

3. Seeking anticipatory bail, this petition has been filed by the petitioners stating that no such occurrence took place as mentioned by the de-facto complainant.

4. Per contra, the learned Additional Public Prosecutor would submit that on the date of the above said occurrence, restrictions was imposed by the Government preventing the third parties or brokers or document writers, as the case may be, to enter into the Sub Registrar office. These petitioners alleged to have caused the above said trouble, preventing the de-facto complainant from discharging his official duty. According to him, the above said offence was captured in the CCTV footage.

5. Even though the earlier application was dismissed by the order dated 31.07.2023, now this petition has been filed on the ground that the petitioners are ready to file an undertaking affidavit stating that they will not commit similar mistakes in future and they will abide by the G.O. Passed by the Government. The undertaking affidavit is filed by the petitioners making following undertakings:

(ii) We humbly submit we regret for the said allegations in the above Crime

Numbe and we declare that the said allegations were not caused due to

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



**CRL OP(MD). No.15447 of 2023**

predetermined reasons. We further declare that we will not cause these sorts of alleged incidents against anyone in future.

5. Considering the undertaking affidavit filed by the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

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. If any violation and behaviour is noticed against the petitioners with regard to the above said violation of Government



CRL OP(MD). No.15447 of 2023

Order, the anticipatory bail that has been granted in this case, will stand  
automatically cancelled without reference to this Court.

sd/-  
08/09/2023

/ TRUE COPY /

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

Indu

TO

1. THE JUDICIAL MAGISTRATE, PERAIYUR, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3. THE INSPECTOR OF POLICE,  
PERAIYUR POLICE STATION,  
MADURAI DISTRICT.

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

+1 CC to M/s.S.VENKATASUBRAMANIYAN, Advocate ( SR-13452[I] dated  
11/09/2023 )

ORDER  
IN

CRL OP(MD) No.15447 of 2023  
Date :08/09/2023

RK/VRS (13/09/2023) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023