



CRL OP(MD). No.15217 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/08/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

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1.K.Ponginan
2.Senthil Vadivu
3.Selvam @ Ramakrishnan
4.Gopal @ Rajagopal

... Petitioners/ Accused Nos.1 to 4

Vs

The State, represented by
The Inspector of Police,
Oddanchatram Police Station,
Dindigul District.
Crime No.25 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.C.NIHIL NANDHA, Advocate
for Mr.D.KIRUBAKARAN, 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.25/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.1 to 4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 427, 294 (b), 506(ii) I.P.C., in Crime No.25 of 2023 on the file of the respondent Police, seek anticipatory bail.



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2. The case of the prosecution is that there was some civil dispute between the defacto complainant and the petitioners herein. On 18.04.2022 at about 11.00 a.m., the petitioners along with four persons caused damage to the common cement pipe with crowbar. When the same was questioned by the defacto complainant, he was threatened to kill and was abused using filthy language. Hence, the complaint. Already the wife of the defacto complainant has given a complaint against the petitioners on 02.03.2022 stating that the petitioners attempted to murder her and her husband.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. A suit in O.S.No.1243 of 2022 is pending before the Sub Court, Ottanchatram between the parties. The first petitioner also lodged a complaint in Cr.No.284 of 2023 against the defacto complainant stating that the defacto complainant damaged the common cement pipe and when the same was questioned by the first petitioner, he was threatened.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that out of the property issue between the parties, the above said occurrence said to have taken place.

5. Reading of the First Information Report in Crime No.25 of 2023 shows that inspite of repeate complaints and enquiry, still the petitioners are not corrected



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themselves and it is a case and counter case.

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6. Considering the nature of offence, it is a case and counter case, it is the issue between the parties over the land dispute, this Court is inclined to grant anticipatory bail to the petitioners.

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, Oddanchatram, 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 as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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/-
21/08/2023

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



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INDU
TO
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1 THE JUDICIAL MAGISTRATE,
ODDANCHATRAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
ODDANCHATRAM POLICE STATION, DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1. CC to M/S.KIRUBAKARAN.D Advocate SR.No.39575 (F)

ORDER IN
CRL OP(MD) No.15217 of 2023
Date :21/08/2023

SA/VRS/SAR. /08.09.2023/4P/6C

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