



CRL OP(MD). No.16919 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Pitchaiah Alais Pitchaiah Gurukkal,
2. S.Chandran,
3. Rajamanickam,
4. N. Rathina Sabapathi,
5. Manickavasagam,
6. Subbaiah Alais Subbaiah Gurukkal,
7. Ponnaiah Alais Ponnaiah Gurukkal,
8. K. Sunaramoorthi,
9. Annamalai,
10. Murugan Alais Murugam Gurukkal,
11. Senthil Kumar,

... Petitioners/ Accused No. 1 to 11

Vs

The State rep. by
The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
Crime No. 89 of 2023.

... Respondent/Complainant

For Petitioners: Mr.Anand R.,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

For Intervenor : Mr.V.Chandrasekar &
Mr.N.Pragalathan, Advocate



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

PRAYER :-

For Anticipatory Bail in Crime No. 89 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 to A11 apprehend arrest at the hands of the respondent police for the offences punishable under sections 147, 341, 294(b), 323 and 506(ii) IPC, in Crime No.89 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution in brief:- The de-facto complainant lodged a complaint stating that he is working as Hereditary Trustee of Arulmighu Suyambulingaswamy Thirukoil situated in Uravai and also an 'Archakar' as per the order of the Hindu Religious and Charitable Endowment Department. Some of the accused persons claiming themselves as Poojari are making frequent trouble, even police protection was recommended for them. Since no action was taken by the police, they also filed WP(MD)No.11977 of 2021. That was also ordered. On 10/04/2023, at about 10.30 am, the de-facto complainant went to the temple for performing pooja. At that time, the accused persons prevented them from entering into the temple. They were abused in filthy language. They were also pushed down



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and caused assault. On the basis of the above said occurrence, a case in Crime No.89 of 2023 for the offences under sections 147, 341, 294(b), 322 and 506(ii) IPC was registered.

3. Seeking anticipatory bail, earlier petition has been filed by the petitioners stating that they are poojaries performing pooja as per the order passed by this Court in S.A(MD)No.412 of 2004; Only the de-facto complainant's party are preventing them from performing their duty.

4. The intervenors also come on record and stated that the de-facto complainant and others were recognized and lawfully appointed as Priests, but these petitioners are making frequent trouble, causing disturbance to day today pooja to the temple. They would also rely upon the order passed by the Joint Commissioner, Tirunelveli and apart from that, it is also submitted that because of the frequent trouble made by the petitioners, a case in Crime Nos.40, 89 and 101 of 2023 have been registered and in spite of that, the petitioners continuously involved in making the trouble.

5. Earlier petition was dismissed on the ground that frequent trouble has been made by the petitioners. In spite of repeated registration of the FIRs, the petitioners



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have not stopped their illegal activities, even though, it is has been submitted by the petitioners that it is civil dispute between them, over which, a civil suit is also pending.

6.I find no reason to entertain this petition, since continuously the petitioners are engaged in making trouble. The learned Government Advocate (Crl. Side) would submit that the offences were altered in this case and alteration report was also filed.

7.In view of the above, this Court is not inclined to entertain this petition.

8.Accordingl, this criminal original petition is dismissed.

sd/-
26/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Inspector of Police,
Uvari Police Station,
Tirunelveli District. .

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER
IN
CRL OP(MD) No.16919 of 2023
Date :26/09/2023

SSA/VRS/31.10.2023/5P/3C

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