



CRL OP(MD) No.17385 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.17385 and 17387 of 2023

Manikandan ... Petitioner/ Accused No.1
in CrI.O.P.(MD).No.17385 of 2023

Karuppuraja ... Petitioner/ Accused No.3
in CrI.O.P.(MD).No.17387 of 2023

Vs

The State rep by
The Inspector of Police,
Vikramangalam Police Station,
Madurai District.
(Crime No.113 of 2023).

... Respondent/Complainant
in both petitions

(In both petitions)

For Petitioner : M/s.Neethimohan, Advocate.
For Respondent : Mr.S.Manikandan,
Government Advocate (CrI.Side)
For Intervenor : Mrs.P.Jessi Jeeva Priya, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No.113 of 2023 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 and A3 apprehend arrest at the hands of the



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respondent police for the offences punishable under sections 109, 435, 294(b) and 506(ii) IPC, in Crime No.113 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that he is owning lands in Survey Nos.100/6A, 100/6B and 100/6C measuring about 3.50 Acres. About 450 coconut trees and apart from that, flowering plants were planted. On the eastern side, A1-Manikandan is owning lands. In 2020, A1 namely Manikandan and one Philip Murugan set the coconut trees on fire. A complaint was given. But there was compromise between the parties. Later A1 took steps to measure the property. During measurement, it was found that A1 occupied 15 cents belongs to him. He promised to restore the possession after making the harvest. But against the above said promise, he is making frequent trouble. On 30/07/2023 at about 03.00 pm, again, they set fire, caused damage to the flower plants and coconut trees worth about Rs.4,50,000/-. When that was questioned by him, all the accused persons criminally intimidated him. Upon which, the above said case was registered for the offences stated above.

3.Seeking anticipatory bail, this petition has been filed by the petitioners stating that because of the above said civil issue, this false complaint has been given by the de-facto complainant.

4.Heard both sides. Intervenor is also came on record.

5.These are the third application that has been filed by the petitioners without any change of circumstances. The only change of circumstances alleged by the petitioner's



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counsel is that the co-accused has been arrested and remanded to custody. Now they are ready to deposit Rs.25,000/- by each of them as compensation amount. But, the defacto complainant refused to receive the said amount. Considering the previous occurrence only, earlier applications came to be dismissed. I find absolutely no change of circumstances. Repeated filing of petitions by the petitioners cannot be entertained by this Court.

6. Accordingly, both criminal original petitions are dismissed.

sd/-
27/09/2023

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/11/2023

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

TM

To

1.The Inspector of Police,
Vikramangalam Police Station,
Madurai District.

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

ORDER
IN

CRL OP(MD). Nos.17385 and 17387 of 2023
Date :27/09/2023

ED/DD/SAR- (01/11/2023) 3P / 3C

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