



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. _____ OF 2024
(Arising out of SLP(Criminal) Nos.14331-14332 of 2023)

KADARKARAI & ORS.

APPELLANT(S)

VERSUS

STATE REP. BY THE INSPECTOR OF POLICE

RESPONDENT(S)

O R D E R

1. Leave granted.
2. Heard learned senior counsel for the parties.
3. The appellants being aggrieved by the impugned judgments and orders dated 17.10.2023 and 27.09.2023 passed by the High Court of Madras, Madurai Bench in CRL OP (MD) No.17641 and 17295 of 2023, have approached this Court by way of present appeals.
4. The High Court vide the impugned orders have dismissed their petitions seeking anticipatory bail in connection with the Crime No.166 of 2023, registered at Police Station Surandai in District Tenkasi, Tamil Nadu for the offences under Sections 153, 153(A), 504, 505(1)(c), 505(2) of IPC.
5. The bone of contention raised by the learned senior counsel, Ms. Madhavi Divan, appearing for the appellants is that the appellants had resisted their children from going to the Missionary School, which was situated in the Village itself, as the school management had collected donations from the village people by stating that the school was going to be upgraded as middle school and they

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wanted to construct new school buildings. However, instead of upgrading the school as middle school, the School Management has demolished the whole school building and they are trying to construct a Church on the said land.

6. Ms. Divan, learned senior counsel further submitted that now, an alternate arrangement has been made by the State Government, by arranging the buses for sending the children to the neighbouring village schools and some talks of settlement are also going on with the School Management people.
7. Having regard to the facts and circumstances of the case, in order to see that there is no further animosity created amongst the village people, we deem it appropriate to accept the present appeals.
8. In that view of the matter, it is directed that in the event of arrest of the appellants in connection with Crime No.166 of 2023, registered at Police Station Surandai in District Tenkasi, Tamil Nadu, the appellants shall be released on bail on the terms and conditions that may be imposed by the Trial Court.
9. The Criminal Appeals are allowed accordingly.
10. Pending application(s), if any, shall stand disposed of.

.....J.
(BELA M. TRIVEDI)

.....J.
(PANKAJ MITHAL)

**NEW DELHI;
30TH JANUARY, 2024.**

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ITEM NO.1

COURT NO.15

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).14331-14332/2023

(Arising out of impugned final judgment and order dated 17-10-2023 in CRLOP(MD) No.17641/2023 and 27-09-2023 in CRLOP(MD) No.17295/2023 passed by the High Court of Judicature at Madras at Madurai)

KADARKARAI & ORS.

Petitioner(s)

VERSUS

STATE REP. BY THE INSPECTOR OF POLICE

Respondent(s)

(IA No.229192/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.229195/2023-EXEMPTION FROM FILING O.T.)

Date : 30-01-2024 These petitions were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE BELA M. TRIVEDI
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Ms. Madhavi Divan, Sr. Adv.
Mr. Praneet Pranav, Adv.
Mr. Ajay Awasthi, Adv.
Mr. Alabhya Dhamija, Adv.
Mr. Pankaj Singhal, Adv.
Mr. Monu Kumar, Adv.
Mr. Ayush Anand, AOR

For Respondent(s) Mr. V. Krishna Murthy, Sr. Adv.
Mr. D. Kumaran, AOR
Ms. Deepa S., Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. In terms of the signed order, the Criminal Appeals are allowed.
3. Pending application(s), if any, shall stand disposed of.

(RAVI ARORA)
COURT MASTER (SH)

(MAMTA RAWAT)
COURT MASTER (NSH)

(signed order is placed on the file)