



Crl.O.P.Nos.23189 and 23190 of 2022

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G.K.ILANTHIRAIYAN, J.

Crl.OP.No.23189 of 2022

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 294(b), 380, 379, 302 of IPC r/w Section 3(1) of Prevention of Damage to Public Property Act, 1984 in Crime No.86 of 2022 on the file of the respondent police, seek anticipatory bail.

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 447 and 506(i) of IPC r/w Section 3(1) of Prevention of Damage to Public Property Act, 1984 in Crime No.85 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 01.03.2022 at about 12 p.m., the petitioners along with others were entered into the defacto complainant's agricultural land and damaged the corn crops and the pipe



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lines. It is further alleged that the petitioners abused the defacto complainant with filthy and language and threatened him and his family members with dire consequences. Hence, the defacto complainant made a complaint as against the petitioners. Based on the complaint, the respondent police has registered a Cr.No.85 of 2022 as against the petitioners. It is further alleged that on the same day at 8.45 p.m., again the petitioner and others went to the defacto complainant's house and attacked the defacto complainant's sister with wooden log. Since, the sister of the defacto complainant got injured and admitted in the hospital at Attur, subsequently, she was referred to Government Hospital, Salem for further treatment. However, she died in the hospital. Thereafter, the respondent registered a complaint as against the petitioners in Cr.No.86 of 2022.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the defacto



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complainant and his sister are having property measuring to an extent of 6.1/2 acres of land, since due to their urgent need, they have decided to sell their property. The defacto complainant's sister had entered into the unregistered sale agreement to one Venkatesan who is the sister's son of A1. Subsequently, some civil dispute were raised between them. Hence, on 01.03.2022 at about 12 p.m., A1 and others went to the defacto complainant's property and requested to repay the advance amount, but the defacto complainant having previous enmity with A1, he has incriminated the petitioners' name in the occurrence. He would further submit that the other co-accused were released on bail in the above said Crime Number in Crl.OP.Nos.11806 and 11812 of 2022 dated 23.05.2022 by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioners entered into the agricultural field of the defacto complainant and damaged the corn crops and pipe lines and thereafter, the petitioners went into the defacto complainant's house



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and attacked his sister and thereby, she has sustained fatal injuries and died in the hospital. He would further submit that the earlier anticipatory bail petitions filed by the petitioner before this Court were dismissed. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. It is seen that in Cr.No.85 of 2022, the respondent police has registered a case for the offence punishable under Section 147, 447 and 506(i) of IPC r/w Section 3(1) of Prevention of Damage to Public Property Act, 1984. In pursuance of the said occurrence, the subsequent occurrence had happened on the same day at 8.45pm., that the petitioner along with others went to the defacto complainant's house and attacked the defacto complainant's sister with wooden log and she had sustained fatal injuries and died. All the accused persons are having specific overt act and hence the case has been registered against them under Section 302 of IPC.



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6. Considering the nature of offence committed by the petitioners, this Court had dismissed the earlier anticipatory bail petitions filed by the petitioners and now there is no change in circumstance of the case. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, these Criminal Original Petitions are dismissed.

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