



Crl.O.P.No.16760 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners namely M.Viswanathan, Tamil Selvan, Muthu, Jayaraman, Sivan & Suresh, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 294(b), 324 & 506(ii) of IPC in Crime No.201 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioners submitted that, members of National Missionary Society of India tried to encroach the land and that was objected by the petitioners and therefore, false complaint was given against the petitioners. Apprehending arrest, this petition is filed.

3. The learned Government Advocate (Crl. Side) submitted that, National Missionary Society of India purchased the land in the year 1970. On 27.09.2022, defacto complainant along with others, who are the members of National Missionary Society of India visited the land for inspection. Accused in this case scolded them in filthy language and they prevented them from inspecting the land. Defacto complainant lodged a complaint before the respondent police. Then the accused persons



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undertook not to interfere with their possession. However, again on 12.07.2023, at about 10.30.a.m., when defacto complainant and others from National Missionary Society of India visited the land, accused persons quarrelled with them and attacked them with hands and wooden log and they also attempted to stab them. As a result, defacto complainant suffered injuries and treated in the hospital and discharged.

4. Considering the nature, facts and circumstances of the case and that the injured victims are treated and discharged from the hospital and that the substantial part of the investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioners for the reason that, custodial interrogation of the petitioners is now not necessary.

5. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.III, Vellore** on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five**



Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30.a.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance



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with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

31.07.2023

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31.07.2023