

CrI.O.P.No.26062 of 2023**C.V.KARTHIKEYAN.,J.**

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The petitioners/A2&A3, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 353, 341 and 506(ii) of I.P.C read with Section 3 of the Tamil Nadu Public Property (Destruction and Loss) Act, 1977, in Crime No.204 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 16.05.2023, the de-facto complainant and his party conducted an enquiry. The petitioners abused them in obscene and filthy language and also threatened with dire consequence and also prevented from discharging their official duty and caused damaged to Government Vehicle bearing Registration No.TN 25 G 0409. Hence the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons. They have been falsely implicated in this case. Hence, the present petition has been filed seeking anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that on information, the respondent-Police had gone to the place of the accused herein, where they found illicit arrack being sold. When it was questioned by the de-facto complainant, the accused



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assaulted him and also damaged the Police jeep. Earlier anticipatory bail had been granted by this Court in Crl.O.P.No.13628 of 2023 dated 27.06.2023 but the petitioner had not executed the sureties. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondent police and perused the materials available on record.

6.This is the second application seeking anticipatory bail and the earlier application was dismissed on 19.10.2023 in Crl.O.P.No.24048 of 2023. It is however stated that A1 had been taken into custody. But, taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and the Non-Bailable Warrant was issued by the jurisdiction Court, at this stage, anticipatory bail would not alive. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this Criminal Original Petition is dismissed.

16.11.2023

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