



Crl.O.P.No.13936 of 2024

Crl.O.P.No.13936 of 2024

WEB COPY

T.V.TAMIILSELVI, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b) and 506(2) of IPC and 3 of PPD Act, 1992 in Crime No.132 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the petitioner and the defacto complainant are relatives. Due to property dispute, there was wordy quarrel between the petitioner and the defacto complainant for which, the petitioner along with other accused, abused the defacto complainant in filthy language and also threatened him in dire consequences. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.13936 of 2024

WEB COPY

4. The learned counsel for the intervener also appeared before this Court and raised objection stating that the petitioner purposefully caused disturbance to the life of the defacto complainant.

5. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioner and the defacto complainant are relatives. Due to property dispute there was wordy quarrel, in which, the petitioner along with others intentionally caused damage of the 12 feet of compound wall in the defacto complainant property. He further submits that a Civil Suit also pending before the Additional Sessions Court, Vellore in O.S.No.18 of 2006. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CrI.O.P.No.13936 of 2024

WEB COPY

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate No.1, Vellore**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police, on every Tuesday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;



WEB COPY



CrI.O.P.No.13936 of 2024

T.V.TAMIILSELVI, J.,

ssi

[e] on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has been imposed and the petitioner is released on anticipatory 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]*; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

18.06.2024

ssi

CrI.O.P.No.13936 of 2024