



Crl. O.P. No.19011 of 2024

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P.DHANABAL.J.,

The petitioners apprehend arrest for the alleged offence under Section 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) B.N.S. Act in Crime No.408 of 2024, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that due to the civil dispute in respect of boundaries of the property, the petitioners have assaulted the defacto complainant, when the Surveyor and other revenue people came to the petitioners' house for measuring the property. Hence the case.

3.The learned counsel for the petitioners would contend that the petitioners are innocent persons and they have not indulged in any activities as alleged in the F.I.R and this is a case and counter case and they have been falsely implicated in this case by the respondent police and the injured person has been discharged from the hospital and hence they seek anticipatory bail.

4.The learned Government Advocate (Criminal Side) would submit that due to land dispute, there is a previous enmity between the parties and



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thereby, the occurrence was happened and the injured person was hospitalized for a period of one week and now the injured has been discharged from the hospital. Hence he objected to grant anticipatory bail to the petitioner. However, the learned Government Advocate (Criminal Side) has represented that there is no previous case is pending as against the petitioner.

5.Heard both side and perused the materials available on record.

6.Considering the rival submissions on either side and considering the fact that this is a case & counter case and the injured person was discharged from the hospital and considering the nature of offences, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7.Accordingly, the 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.I, Vriddhachalam, Cuddalore District** on condition that the petitioners shall each execute a bond for a sum of



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Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the Karuveppilankurichi police on every Saturday at 10.00 a.m.; for a period of 4 weeks and thereafter as and when required for investigation.

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

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

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

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

08.08.2024

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To



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1. The Judicial Magistrate No.I, Vriddhachalam, Cuddalore District.
2. The Inspector of Police, Karuveppilankurichi Police Station, Cuddalore.
3. The Inspector of Police, Vridhachalam Police Station, Cuddalore.
3. The Public Prosecutor, High Court, Madras.

P.DHANABAL,J

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