



Crl.OP.No.19370 of 2024

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WEB COPY

P.DHANABAL,J

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 296(b), 115(2), 118(2) of BNS r/w Sec.4 of TNPHW Act 2002, in Crime No.178 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The prosecution's case is that the defacto complainant and the petitioners are relatives and that there is previous enmity and civil dispute between them and that on 03.07.2024, at about 8.00 p.m., when the defacto complainant was in her house, the petitioners came there and abused the defacto complainant and her family members in filthy language and the petitioners have assaulted the defacto complainant and her family members by hands and with dire consequences. Hence the defacto complainant gave a complaint to the respondent police against the petitioners. Based on that, a case has been registered against the petitioners. Hence the petition.

3.The learned counsel for the petitioners would contend that the petitioners are innocent and they are not involved in the above said offences and they are falsely implicated in this case. Hence, he prays to

<https://www.mhc.tn.gov.in/judis> grant anticipatory bail to the petitioners.



Crl.OP.No.19370 of 2024

WEB COPY 4. The Government Advocate (criminal side) representing the respondent police submitted that there was a wordy quarrel which resulted in physical altercation due to civil dispute; injured discharged and there is no previous case as against the petitioners.

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

6. Considering the representations made by both sides' learned counsels, and also considering the relationship between the parties, and the fact that the injured party has been discharged from the hospital, and that this Court has already granted bail to the other accused, along with the nature of the charges against the petitioners and the absence of any prior similar offenses I am inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is **allowed** and the petitioners are ordered to be released on anticipatory bail in the event of their 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, Pappireddipatty**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties for a like sum to the satisfaction of the learned



Crl.OP.No.19370 of 2024

Magistrate concerned and on further condition that:

WEB COPY [a] the petitioners shall report before the respondent police on every

Saturday at 10.30 a.m., for a period of four weeks;

[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 respondent police 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 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]**.

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

12.08.2024

jrs



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jrs

To

- 1.The Judicial Magistrate, Pappireddipatty.
2. The Inspector of Police,
Nannilam AWPS Police Station,
Tiruvarur District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

CRL OP.No.19370 of 2024

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