



Crl.O.P.No.20688 of 2024

Crl.O.P.No.20688 of 2024

WEB C **P.DHANABAL,J.**

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 189(2), 132, 351(2) of IPC and Section 4 of TN Public Property Prevention of Damage and Loss Act in Crime No.253 of 2024, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the petitioner has drawn the political party symbol and flag colour on the bridge and the government wall. When the defacto complainant and other officials tried to white wash the walls, the petitioners have prevented them to do their work and threatened them with dire consequences. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that since petitioner has drawn the political party symbol and flag colour on the bridge and the government wall and when the defacto complainant and other officials were trying to white wash the walls, the petitioners have prevented them to do their work and threatened them. He



further submitted that there are seven previous cases pending as against the petitioners.

5. Considering the submissions of both sides, nature of offence involved in the case and the petitioners have already been granted bail in their previous cases, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their 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.I, Mettur**, on condition that each of the petitioners 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 petitioners shall report before the respondent police on every Saturday at 10.30 a.m. until further orders.

[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



CrI.O.P.No.20688 of 2024

trial.

WEB COPY

[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 v. State of Kerala [(2005) AIR SCW 5560].

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

29.08.2024

mfa

To

1. The Judicial Magistrate No.I, Mettur.
2. The Inspector of Police, District Crime Branch, Cuddalore District.
3. The Public Prosecutor, High Court, Madras.



WEB COPY



Crl.O.P.No.20688 of 2024

P.DHANABAL,J.

mfa

Crl.O.P.No.20688 of 2024

29.08.2024