



Crl.O.P.No.24270 of 2024

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WEB COPY **P.DHANABAL, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 324(4) of BNS, 2023 r/w Section 3(1) of Prevention of Damage to Public Property Act, 1984 in Crime No.216 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the priest of Sri Kaalamman Temple, Kammam Kuppam, K.V.Kuppam Taluk, Vellore District. The petitioner and the village men had planned to conduct car festival of the Amman enshrined in the Sri Kaalamman Temple. Thus, the schedule caste men of the Adi Dravidar Colony, Kammam Kuppam had requested the temple authorities to lead the temple car procession in their street and the same was opposed by the caste Hindus of the village. On 06.08.2024, at 5 pm, the residents of Adi Dravidar Colony had informed the VAO over phone that the local men along with the petitioner had removed the Amman statue of the temple and demolished the compound wall of the temple through JCB. Thus, on 07.08.2024, once again a peace meeting was held. Since no



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amicable settlement was arrived, on fearing of law and order problem, the VAO had preferred complaint before the respondent police. Hence this case.

3. The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that there is a dispute between the parties in respect of conducting festival, at that time this petitioner assaulted the victim and damaged the property and no previous case is pending against the petitioner and the injured was discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, the nature of offences and considering the fact that no previous case pending against the petitioner and the injured was discharged from the



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petitioner, subject to the following conditions:

WEB COPY 7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Judicial Magistrate , Katpadi* 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 a.m., for a period of thirty days and thereafter as and when required for interrogation.

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

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned



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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 229A IPC.

04.10.2024

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