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Crl.O.P.No25928 of 2024

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P.DHANABAL,J.

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 296(b), 115(2), 324(4) and 353(1) of BNS r/w Section 4 of the Public Property (Prevention of Damages and Loss) Act in Crime No.138 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that on 03.10.2024, petitioner herein namely Thirumurugan along with her wife had set fire to the palm and Coconut trees which belongs to the defacto complainant, the same was questioned by him. Due to which, the petitioner along with others abused and criminally intimidated him. Thereby, the petitioner and his wife damaged the trees and agriculture lands worth about Rs.30,000/- .Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further states that due to enmity and vengeance, he has been falsely implicated in this case. He also submits that the petitioner



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is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Counsel for the Intervenor submits that the petitioner along with other had set fire to the palm and coconut trees and agricultural land of the defacto complainant and his neighbouring land owners, worth about Rs.30,000/- He further submits that investigation is not yet completed.. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the petitioner along with other had set fire to the palm and coconut trees and agricultural land of the defacto complainant and his neighbouring land owners, worth about Rs.30,000/-, he has produced the photographs to that effect. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioner, the learned counsel for the Intervener and the learned Government Advocate (CrI.Side) and perused the materials available on record.



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7. Considering the grave nature of allegations levelled against the petitioner that set fire to the palm and coconut trees and agricultural land and investigation not yet completed and also considering all other aspects, this Court is not inclined to grant anticipatory bail to the petitioner at this stage .

8. Accordingly, this Criminal Original Petition is dismissed.

25.10.2024

Vv

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