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CrI.O.P.No25932 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), 132 and 353(1) of BNS in Crime No.178 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that on 03.10.2024 at around 2.00 p.m., the defacto complainant one Raman who is working as a Village Administrative Officer, Naravallur Agraharam Village, Namakkal District came to know about from his Village Assistant that the Tamarind Trees in S.No.152 in Naravalur Agraharam had been uprooted by using JCB Machine. By 02.30p.m, he confirmed that four tamarind tress had indeed been removed and pushed to the north. The Village Assistant informed that one Ganesan, S/o Ramasamy residing at Naravalur Agraharam Village who is the Patta holder of Survey No.150/7 near the Cemetery Poramboke Survey No.152 had given the information that one Thirumurugan/ second respondent herein had



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uprooted the trees. Based on the information, the defacto complainant went to the house of said Thirumurugan and enquired him, who verbally abused the defacto complainant and attacked him, caused grievous injuries to him.

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 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 when the defacto complainant who is working as a Village Administrative Officer/ Government Servant had enquired with the petitioner/accused about the uprooted four Tamarind Trees in S.No.152 in Naravalur Agraharam, at that time, the petitioner had attacked and assaulted and prevent him from discharging his duty. He further submits the investigation is in crucial stage . Now, without any fear of law, he has filed anticipatory bail petition before



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this Court. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent submits that based on the information that one Thirumurugan/ second respondent herein had uprooted the trees, the defacto complainant went to the house of Thirumurugan and enquired him, who verbally abused the defacto complainant and attacked him, caused injuries to him. He further submits that the VAOs' in the Namakkal District had conducted Demonstration and protest against the said incident before the District Collectorate, Namakkal. 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 (Crl.Side) and perused the materials available on record.



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7. Considering the grave nature of allegations levelled against the petitioner and investigation not yet completed and 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

P.DHANABAL, J.

Vv



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