



Crl.O.P.No.27080 of 2024

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P.DHANABAL,J.

The petitioners/A1 to A5 who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 189(2), 296(b), 118(1) and 351(3) of BNS in Crime No.208 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that there was property dispute between the petitioners and the defacto complainant with regard to withdraw the suit filed by the defacto complainant against the petitioners which is pending before the Sub Court, Mettur. Due to which, the petitioners 1 to 3 were threatening the defacto complainant to withdraw the suit and abused him with filthy language and also caused injuries to him. Hence, this case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He further submits that there was land dispute between the petitioners and the defacto complainant. The defacto complainant try to colour the civil dispute as criminal nature. He further submits they are ready to abide by any stringent conditions imposed by this



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Court. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that there was a property dispute between the parties, due to which, the petitioners had abused and attacked the defacto complainant and caused injuries. He admits that the injured had discharged from the hospital and there is no previous cases against the petitioners. However, he vehemently opposed for the grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Considering the nature of offence and there was a property dispute between the parties and the injured had already been discharged from the hospital, no previous cases are pending against the petitioner and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of 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-I, Mettur** on condition that each of the petitioners shall execute



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separate bonds 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 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 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 vs. State of Kerala [(2005)AIR SCW 5560].

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

29.10.2024

Vv

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Vv



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