



CrI.O.P.No.27321 of 2024

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P.DHANABAL,J.

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 296(b), 324(4), 329(4) and 351(3) of Bharatiya Nyaya Sanhita Act and Section 4 of TNPPDL Act in Crime No.347 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that there was a previous enmity already existing between the petitioners and the defacto complainant regarding civil dispute, for which, the defacto complainant had already been instituted a suit in O.S.No.21 of 2021 on the file of District Munsif Court, Needamangalam and the same is pending. While so, when the defacto complainant went to Bangalore, at that time, the petitioners herein had put up a construction of the compound wall. Later, they came to know about the same, the defacto complainant had arrived his residence and found that the petitioners herein had damaged his compound wall and C.C.Tv cameras and other articles, worth about Rs,10,000/-. The same was questioned, the petitioners abused him with filthy language and also threatened him with dire consequence. Hence, the case.



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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 they are ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that there was a civil dispute between the petitioners and the defacto complainant, due to which, the petitioners had abused and threatened the defacto complainant. He further submits that there is no previous case against the petitioners. However, he vehemently opposed for the grant of anticipatory bail to the petitioners.

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

6. Considering the nature of offence, there was a civil dispute between the parties and the civil suit is pending and also the fact that there is no previous case against the petitioners and considering all other aspects, this



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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 ***District Munsif-Cum-Judicial Magistrate, Needamangalam, Thiruvarur District*** on condition that each of the petitioners shall execute 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



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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.

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