



Crl.O.P.No.27382 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 Section 147, 148 294(b), and 506(1) of IPC and Section 3 of Public Properties (Prevention of Damage and Loss) Act, 1992 in Crime No.19 of 2018 seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as a NMR in Poigai Kothamangalam Sand Quarry, while he was in duty on 22.01.2018, the petitioner who was working as pump operator came to the said quarry and asked the defacto complainant to change the damaged pipe lines, but the defacto complainant has replied that he would ask his higher officials and do the needful. Regarding the same, there was a wordy quarrel arose among them and subsequently, the petitioner came along with others and damaged the Olai Kottagai and chairs and tables in the said quarry and chased one Aravind to beat him. Hence, the complaint.



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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 submits that he 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 Government Advocate (Crl.Side) appearing for the respondent submits that there was a wordy quarrel between the parties with regard to repair the pipe lines, due to which, the petitioner and 10 others had damaged the properties in the said quarry. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

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

6. Considering the nature of offence, there is no previous case against the petitioner, the alleged occurrence had taken place in the year 2018,



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and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Court, Katpadi, Vellore District*** 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 on every Saturday at 10.30 a.m., for a period of four weeks.

[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



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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 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.

30.10.2024

Vv



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