



Crl.O.P.No.27446 of 2024

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P.DHANABAL,J.

The petitioners/A3 and A4, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 448, 294(b), 427, 436 and 506(2) of IPC r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 in Crime No.182 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the defacto complainant's brother and the petitioners and their friends at the time of function held at Sholinganallur, due to which, the defacto complainant's brother had assaulted the petitioners' friend with wooden log. In this Connection, the petitioners and others have trespassed into the defacto complainant's house along with A1and A2 and scolded them in a filthy language and had set fire to her house and caused damages to articles and bike, the value of the damaged articles are Rs.2,50,000/- , but nobody was injured and and also threatened them with dire consequence. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any such



Crl.O.P.No.27446 of 2024

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 (Crl.Side) appearing for the respondent submits that He further submits that due to previous enmity, the petitioners and others have trespassed into the defacto complainant's house along with A1 and A2 and scolded them in a filthy language and had set fire to her house and caused damages to articles and bike, the value of the damaged articles are Rs.2,50,000/-, there is no previous case against the petitioners and the injured had sustained only simple injury and he was discharged from the hospital. 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 (Crl.Side) and perused the materials available on record.

6. Considering the nature of offence, there was a wordy quarrel between the petitioners and the defacto complainant's brother, the injured had



CrI.O.P.No.27446 of 2024

already been discharged from the hospital and also the fact that there is no previous case against A2 and A3, though A4 is having one previous case, in that case, he was granted bail 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 Court-II, Nagapattinam** 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



Crl.O.P.No.27446 of 2024

trial.

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[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.

30.10.2024

Vv



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Crl.O.P.No.27446 of 2024

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Crl.O.P.No.27446 of 2024

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