



Crl.O.P.No.28307 of 2024

A.D.JAGADISH CHANDIRA, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 118(1), 125 and 351(3) of BNS, 2023, and Section 3 of the TNPPDL Act, 1992, in Crime No.125 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to a quarrel between the defacto complainant and the accused in respect of a property dispute, the petitioners assaulted the defacto complainant and damaged his car and also caused damages to the nearby shops to the tune of Rs.20,000/-. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and a false complaint has been given. He further submitted that it is a case and case in counter and the incident had occurred on account of a civil dispute and that the entire family including women folks have been implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, submitted that there are totally 58 accused in this case. He further submitted that due to civil dispute, the petitioners assaulted the defacto complainant and damaged his car and also caused damages to the nearby shops to the tune of Rs.20,000/-. He further submitted that the matter was referred to RDO for enquiry and the parties have been directed to go before the Civil Court.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6.Considering the facts and circumstances of the case, the submissions made by the learned counsel on either side and also taking into consideration all other aspects, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

[a] 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 **Judicial**



Magistrate cum Munsif Court, Sendurai, Ariyalur District, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two common sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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