



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Twenty Ninth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18060 of 2021

P.GOWRISANKAR

[ PETITIONER / ACCUSED ]

Vs

STATE THROUGH  
THE INSPECTOR OF POLICE,  
MASINAGUDI POLICE STATION,  
NILGIRIS DISTRICT.  
CRIME NO.134/2021.

[ RESPONDENT ]

For Petitioner : M/S. R.RAJPRABHU Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate ( CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offence under Sections 294(b), 353 & 506(i) of IPC in Cr.No.134 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that defacto complainant is a doctor. While the defacto complainant was treating a delivery patient, the petitioner came with his friends and approached the defacto complainant to treat his friend who sustained cut injuries. Thereafter, while treating the petitioner's friend, the petitioner who was in a drunken mood abused the defacto complainant in filthy language. Thereby, the defacto complainant lodged a complaint before the law enforcing agency.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and has been falsely implicated in the case. Hence, he prays to grant anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl. side) submits that the petitioner in a drunken mood abused the defacto complainant in filthy language while treating a pregnant lady. Hence, he opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No-I, Cudalore, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-  
29/09/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
NO.I, CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE  
CUDDALORE DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
MASINAGUDI POLICE STATION,  
NILGIRIS DISTRICT.

CC to M/S. R.RAJPRABHU Advocate on payment of necessary charges

CRL OP.18060/2021

Date :29/09/2021

RW 08/10/2021