



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Fifteenth day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.21389 of 2021

GOWTHAM @ WILLIAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
SEVVAPET POLICE STATION,
TIRUVALLUR DISTRICT
(CRIME NO.466/2021)

[RESPONDENT]

For Petitioner : M/S.A.P.KANNAN Advocate

For Respondent : MR. N.S.SUGANTHAN, Govt. Advocate (Crl. 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, 323, 324 and 506 (ii) of IPC r/w 4 of Tamil Nadu Prohibition of Harassment of Women Act in Cr.No.466 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with 3 other person had wordy quarrelled with the defacto complainant's family members. When the defacto complainant uses filthy language, the petitioner and others accused and assaulted the defacto complainant with wooden log and knife in which the defacto complainant sustained injuries. Hence, the defacto complainant lodged a complaint against the petitioner.

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

4. The learned Government Advocate (Crl. side) submits that the injured person has been discharged from the hospital.



5. Considering the fact that the injured has been discharged from the hospital, 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 II, Tiruvallur, 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 on every Friday at 10.30 a.m. for a period of four 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.

-sd/-

15/11/2021

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.II, TIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
SEVVAPET POLICE STATION,
TIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.A.P.KANNAN Advocate on payment of necessary charges
Sr.12887

CRL OP.21389/2021

Date :15/11/2021

RVR 19/11/2021