



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.12.2021

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CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.25005 of 2021

Gowtham @ Virumandi

.. Petitioner

Vs.

The State represented by
Inspector of Police
Saravanampatti Police Station,
Coimbatore District.
Crime No.763 of 2021

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the the petitioner on bail in the event of his arrest by the respondent police concerned in Crime No.763 of 2021 on the file of the Inspector of Police, Saravanampatti Police Station, Coimbatore District.

For Petitioner : Mr.M.Vinoth

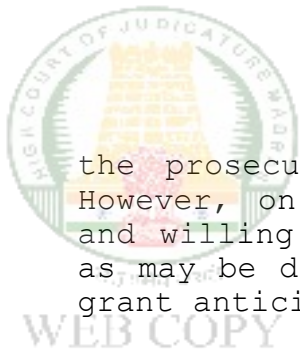
For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 294(b), 324 and 506(i) of IPC in Crime No.763 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a dispute between the petitioner and the defacto complainant regarding previous enmity, due to which, the petitioner abused and assaulted the defacto complainant's grand son and also caused injuries to them. Hence the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not been committed any such offence as alleged by



the prosecution and he has been falsely implicated in this case. However, on instructions, he submits that the petitioner is ready and willing to pay a sum of Rs.10,000/- to any Charitable Institute as may be directed by this Court Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl side) submits that the injured has been discharged from the hospital. He further submits that the investigation was almost completed.

5. Considering the fact that the injured has been discharged from the hospital and the investigation was almost completed and also the fact that the petitioner has willfully and on his own volition agreed to contribute a sum of Rs.10,000/- for charitable purpose, this Court is inclined to grant anticipatory bail to the petitioner.

6.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 of receipt of a copy of this order, before the *learned Judicial Magistrate Court No.I, Coimbatore* 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 is directed to deposit a sum of Rs.10,000/- (Rupees Ten thousand only) to the Registered Advocate Clerks Association, Coimbatore District, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

[b] 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;

[c] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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



has been imposed and the petitioner is 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]*; and;

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[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

21/12/2021

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

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

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, COIMBATORE.

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

3 THE INSPECTOR OF POLICE,
SARAVANAMPATTI POLICE STATION,
COIMBATORE DISTRICT.

4 THE REGISTERED
ADVOCATE CLERK ASSOCIATION, COIMBATORE DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.VINOTH Advocate on payment of necessary charges
SR.NO.15275

CRL OP.25005/2021

Date :21/12/2021

CSK 29/12/2021