



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.11778 of 2022

GOWTHAM

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
PODANUR POLICE STATION,  
COIMBATORE.  
CR.NO.110/2022.

[ RESPONDENT ]

For Petitioner : M/S.R.RADHA PANDIAN Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

- (1)The petitioner who is arrayed as A2 out of two accused and who was arrested on 03.04.2022 for the alleged offences punishable under Sections 294[b], 342, 323, 324, 307, 506[2] of IPC in Crime No.110 of 2022 on the file of the respondent police, seeks bail.
- (2)Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.
- (3)In a temple festival, there was a dispute and A1 and A2 appears to have taken the injured to the house of A1 and had assaulted him necessitating in registration of FIR in Crime No.110/2022 on 17.02.2022 by the respondent police for the aforesaid offences.
- (4)The petitioner is in custody from 03.04.2022. A2 has been granted anticipatory bail by the Lower Court.
- (5)It is stated by the learned Additional Public Prosecutor that there are some previous cases against the petitioner herein.



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(6) However, in view of the fact that the injured had been discharged from the hospital after one day of treatment and taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner.

(7) Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned **Judicial Magistrate, Madukkarai**, and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall **stay at Thanjavur and report before the Station House Officer, Thanjavur Town Police Station** daily at 10.30 am., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 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 229A IPC.

-sd/-

01/06/2022

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.



1 THE JUDICIAL MAGISTRATE,  
MADUKKARAI, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE  
COIMBATORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
PODANUR POLICE STATION,  
COIMBATORE.

5 THE SUPERINTENDENT,  
CENTRAL PRISON, COIMBATORE.

6 THE STATION HOUSE OFFICER,  
THANJAVUR TOWN POLICE STATION,  
THANJAVUR.

+1 CC to M/S R.RADHA PANDIAN Advocate on payment of necessary  
charges SR.NO.8288

CRL OP.11778/2022

Date :01/06/2022

TA-01/06/2022