



CRL OP(MD) No.3698 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Friday, the Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3698 of 2024

1 (\*)GOWTHAM @ GOWTHAMAN

2 SURYA

... Petitioners / Accused No.1 & 2

Vs

THE INSPECTOR OF POLICE  
NATHAM POLICE STATION,  
DINDIGUL DISTRICT.  
(CRIME NO.109/2024)

... Respondent / Complainant

For Petitioners : M/s.K.Dinesh, Advocate

For Respondent : Mr.S.Manikandan,  
Government Advocate ( CrI. Side)

For Intervener : M/s.S.Ragaventhree, Advocate

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO. 109/2024 ON THE FILE OF  
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the



**CRL OP(MD) No.3698 of 2024**

respondent police for the alleged offence under Sections 147, 148, 294(b), 324, 506(2) and 307 of IPC, in Crime No.109 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the parties, the petitioners tried to assault defacto complainant's sister's husband and also attempted to murder him. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned counsel for the intervenor strongly opposed the grant of anticipatory bail stating that the petitioners joined together and attacked the defacto complainant and thereby, the defacto complainant sustained grievous injury.

5.The learned Government Advocate (Crl. side) submitted that the injured person was already discharged from the hospital and the investigation is pending. However, he strongly opposed to grant anticipatory bail to the petitioners.

6.Considering the facts and circumstances of the case and also considering the fact that the injured person was already discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD) No.3698 of 2024

WEB COPY

7. Accordingly, this Criminal Original Petition is ordered and 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 of receipt of a copy of this order, before the learned Judicial Magistrate Court, Natham, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;



**CRL OP(MD) No.3698 of 2024**

WEB COPY

(f)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]; and;

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

sd/-  
08/03/2024

(\*)Amended as per order of the Court  
dt.14/06/2024 in CrI.MP(MD).5977/2024  
in CrI.OP(MD).3698/2024 by BPJ.

/ TRUE COPY /

/06/2024  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SJI

To

TO BE SUBSTITUTED WITH THE ORDER DT.08/03/2024 IS ALREADY  
DESPATCHED

1.The Judicial Magistrate,  
Natham.



CRL OP(MD) No.3698 of 2024

2.Do through the Chief Judicial Magistrate,  
Dindigul District.

3.The Inspector of Police,  
Natham Police Station,  
Dindigul District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High court, Madurai.

+1 CC to M/s.M.AJITH, Advocate ( SR-6557 [I] dated 18/06/2024 )

ORDER  
IN  
CRL OP(MD) No.3698 of 2024  
Date :08/03/2024

ED/ VR /SAR- (13/03/2024) 5P / 6C  
GNS  
SA/VR/SAR. /26.06.2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
17/07/2023