



CRL OP(MD). No.6602 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6602 of 2024

Gowtham

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
South Thamaraikullam Police Station,
Kanyakumari District.
Crime No. 2/2024.

... Respondent/Complainant

For Petitioner : MR.S.P.Naveenkumar,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PRAYER :-

For Bail in Crime No. 2 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.2
of 2024 for the offence under Sections 294(b), 323, 324, 307 and 506 (ii) I.P.C and



CRL OP(MD). No.6602 of 2024

remanded him into judicial custody on 09.01.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner along with other accused abused the defacto complainant in filthy language and also assaulted him and caused grievous injuries.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in Jail from 09.01.2024.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the petitioner is having 3 previous cases and the injured is still taking treatment in private hospital and the victim suffered head injury and this is the second bail application.

5. The allegation in the complainant is that this petitioner compelled the victim to consume liquor and assaulted him. The learned counsel for the petitioner submits that co-accused viz., A1 to A3 have already been enlarged on bail. The learned



CRL OP(MD). No.6602 of 2024

Additional Public Prosecutor points out that the petitioner is having three previous cases.

6. Considering the nature of allegation as against the petitioner and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on the following conditions:

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District;

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) The petitioner shall appear before the respondent police daily twice ie. at 10.30 am and 05.30 p.m., until further orders. He has to co-operate for the investigation.



CRL OP(MD). No.6602 of 2024

WEB COPY

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. She shall be available for the trial as well.

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
29/04/2024

/ TRUE COPY /

29/04/2024
Sub-Assistant Registrar (CS -II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

- 1.THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI @ NAGERCOIL.
3. THE INSPECTOR OF POLICE,
SOUTH THAMARA KULLAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 4.THE OFFICER IN CHARGE,
NAGERCOIL SUB JAIL,
NAGERCOIL.



CRL OP(MD). No.6602 of 2024

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.P.NAVEEN KUMAR, Advocate (SR-5022[I] dated 29/04/2024)

ORDER
IN
CRL OP(MD) No.6602 of 2024
Date :29/04/2024

RK/ (29/04/2024) 5P / 7C

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