



WEB COPY



Crl O.P.No.2891 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2891 of 2025

Gowtham alias Gowthaman
S/o Selvaraj, No.617, Emileriyar Taluk,
Thiruvapalayam, Vaniyambadi, Vellore
District.

Petitioner(s)

Vs

The State Represented by Sub-Inspector of
Police, Thimmampet Police Station,
Tirupathur District. (Crime No. 07 of 2025)

Respondent(s)

For Appellant(s):

Mr.R.Parthiban

For Respondent(s):

Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296 (b), 115(2), 118(1) and 351(3) of BNS, in Crime No.7 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that a wordy quarrel arouse



between the petitioner and *de facto* complainant, as a result of which the latter was abused in filthy language and was physically assaulted in hands and legs with bricks. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police per contra submitted that a quarrel arose between the petitioner and the *de facto* complainant due to rash driving. When the same was questioned by the *de facto* complainant, he was abused and attacked causing injury to him and later discharged from hospital. He further submitted that there is one previous case as against the petitioner and hence, opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned



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Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Considering the representations made by both sides, the *de facto* complainant has been discharged from the hospital, the nature of the offence committed and since custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) 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, Vaniyambadi** 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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[b] the petitioner shall report before the respondent police every day at 10:30 a.m., until further orders;

[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 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 269 of BNS.

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To,

The State Represented by Sub-Inspector of Police,
Thimmampet Police Station, Tirupathur District.
(Crime No. 07 of 2025)

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