



Crl.O.P.No.25404 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.25404 of 2023

Rajiv Gandhi S/o. Dhanakodi

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
Thiruvannamalai West Police Station,
Thiruvannamalai.

(Crime No.149 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.149 of
2023 on the file of the respondent police.

For Petitioner : Mr.T.Shanmugam

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



Crl.O.P.No.25404 of 2023

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ORDER

The petitioner seeks bail in Crime No.149 of 2023, registered by the respondent police for the offences punishable under Sections 341, 294(b), 323, 506(1), 306 & 511 of IPC. He had been remanded to judicial custody on 18.10.2023.

2.The petitioner is the 1st accused and he is a moneylender. He had lend a sum of Rs.20,000/- to the defacto complainant and had actually paid a sum of Rs.17,000/-, after deducting a sum of Rs.3,000/- as interest. It was stated that the said money had to be repaid everyday.

3.It is the complaint, which had been given by the defacto complainant that the petitioner had humiliated him in public, as a result of which, the defacto complainant had consumed poison but he did not dead.

4.Taking into consideration all these factors, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on condition to 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



CrI.O.P.No.25404 of 2023

of the Chief Judicial Magistrate No.II, Thiruvannamalai, and on further conditions 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 report before the respondent police everyday at 10.30 a.m., 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.

07.11.2023

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C.V.KARTHIKEYAN. J.

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Crl.O.P.No.25404 of 2023

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To

1. The Chief Judicial Magistrate No.II, Thiruvannamalai.
- 2.The Central Prison, Vellore.
- 3.The Inspector of Police,
Thiruvannamalai West Police Station,
Thiruvannamalai.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.25404 of 2023

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