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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.8614 of 2024

1.Rajiv Gandhi
2.Narayanan

... Petitioners

Vs.

State Rep by.
The Inspector of Police
Polur Police Station,
Tiruvannamalai District Crime No. 80 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in crime No. 80 of 2024 pending
investigation on the file of the respondent.

For Petitioner : Mr.E.Sathiyaraj
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.03.2024 for the alleged offences punishable under Sections 147, 148, 294(b) 307, 323, 324, 506(ii) of IPC r/w Sections 294(b) 307, 323, 324, 506(ii) of IPC **in crime No. 80 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners along with other accused persons attacked and abused the victim. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioners have been falsely implicated in this case. On the other side, the learned Government Advocate (Crl. side) submits that there is case in counter and also stated the injured discharged from the hospital.

4. Considering the period of incarceration undergone by the petitioner and also there is no previous case pending against these petitioner. Hence, this Court is inclined to grant bail to the petitioners.



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5. Accordingly, the petitioners are 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 (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial magistrate, Polur, Tiruvannamalai District**, 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 daily at 10.30 a.m., for a period of two months. Further, the petitioners directed to deposit a sum of Rs.10,000/- each to the crime No. 80 of 2024 and the victim is permitted to withdraw the same.

[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,



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

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T.V.THAMILSELVI,J.

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To

1. The Judicial magistrate, Polur, Tiruvannamalai District.

2. The Inspector of Police
Polur Police Station,
Tiruvannamalai District

3. The Sub Jail, Tiruvannamalai District

4. The Public Prosecutor,
High Court of Madras.

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