



WEB COPY



Crl.O.P.No.6767 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6767 of 2025

Rajiv Gandhi @ Pandiyan

...Petitioner/Accused 1

Vs.

State rep by
The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.

(Crime No.4 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.4 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Suryakumaran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



Crl.O.P.No.6767 of 2025

WEB COPY

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.01.2025, seeking bail in Crime No.4 of 2025 registered for the offence under Sections 296, 115(2), 118(2), 109, 351(2) of BNS.

2.It is the case of the prosecution that on 03.01.2025, due to a wordy quarrel with regard to a prior dispute, the petitioner along with the other accused abused the defacto complainant in filthy language and attacked him with hands and caused injuries. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false; that due to previous enmity a false complaint has been given; that the petitioner was detained under Tamil Nadu Act 14 of 1982 and subsequently, the said detention order was revoked on 21.02.2025; and that in any case, considering the period of incarceration and the fact that the injured has been discharged from the hospital, he may be released on bail.



Crl.O.P.No.6767 of 2025

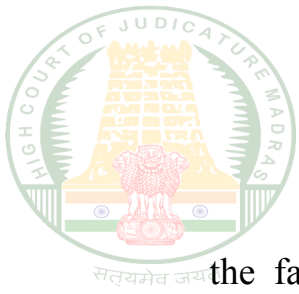
WEB COPY

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there are four previous cases pending against the petitioner and he is on bail in all the previous cases and that the injured has been discharged from the hospital.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

6.This Court had dismissed the earlier bail petition of the petitioner on 17.02.2025 since was been represented that the petitioner has been detained under Act 14 of 1982. It is now stated that the said detention order has been revoked on 21.02.2025. Hence this Court is of the view that there is a change in circumstances. The injured has been discharged from the hospital.

7.Considering the nature of allegations, period of incarceration and



WEB COPY

the fact that the injured has been discharged from the hospital and the petitioner is on bail in all the previous cases and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate, Tittagudi**, 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



Crl.O.P.No.6767 of 2025

WEB COPY

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 B.N.S.

10.03.2025

ata

Copy to:

- 1.The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.
- 2.The Judicial Magistrate, Tittagudi.
- 3.The Superintendent of Prison,
Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.



WEB COPY



Crl.O.P.No.6767 of 2025

ata

Crl.O.P.No.6767 of 2025

10.03.2025