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Crl.O.P.No.1342 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.1342 of 2026

Gandhi Bose

... Petitioner/ Accused

Vs.

The State represented by
The Inspector of Police,
T-20, Kanathur Police Station,
Pallikarani.
(Crime No.233 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.233 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.J.Dinesh

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
06.12.2025, for the offence punishable under Sections 126(2), 296(b), 115(2),
118(1), 109, 351(3) of BNS in Crime No.233 of 2025, registered on the file
of the respondent, seeks bail.



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2. The case of the prosecution is that due to road rage, petitioner along with other accused attacked the defacto complainant with knife, due to which, defacto complainant sustained injuries on his head. Hence, the case.

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

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the petitioner has no previous case. He further submitted that, injured has been discharged from the hospital. However, he opposed to grant bail to the petitioner.

5. Considering the nature of allegations and the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner with certain conditions:



Crl.O.P.No.1342 of 2026

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate, Sholinganallur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen



Crl.O.P.No.1342 of 2026

days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

22.01.2026

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



Crl.O.P.No.1342 of 2026

WEB COPY

To

1. District Munsif Cum Judicial Magistrate, Sholinganallur
2. The Inspector of Police,
T-20, Kanathur Police Station,
Pallikarani.
3. The Central Prison-II, Puzhal
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.1342 of 2026

K.RAJASEKAR, J.

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Crl.O.P.No.1342 of 2026

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