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CRL OP No. 5688 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5688 of 2026

Rajiv Gandhi S/o.Subramani,
Enthal Village,
Tiruvannamalai Taluk and District.

..Petitioner(s)

Vs

The State Rep. By:

The Sub- Inspector of Police,
Tiruvannamalai East Police Station,
Tiruvannamalai District.
Crime No.621 of 2025

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in connection with in Crime No.621 of 2025 pending on the file of Respondent Police.

For Petitioner(s): K.T.S.Sivakumar

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.02.2026 for the alleged offences under Section 194 of B.N.S.S @ Sections 191(2), 191(3), 296(b), 126(2), 115(2), 118(1) and 103(1) of B.N.S. in Crime No.621 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that there was a wordy quarrel between the deceased and some of the villagers and the same was questioned by the petitioner, due to which, dispute arose between the petitioner and the deceased and the petitioner along with other co-accused, had attacked the deceased with wooden logs, stones and hands and caused death. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that this is a case of mob lynching, but it was only on account of suspicious, caused due to the act of the deceased.

4. According to the prosecution, all the accused had doubt about the conduct of the deceased and the petitioner along with other accused have attacked him indiscriminately and due to such attack, he died. At this juncture, the learned counsel appearing for the petitioner would submit the co-accused was already enlarged on bail by this Court on 28.01.2026. However, the learned Government Advocate submitted that those accused have been arrested prior to the arrest of the petitioner and this accused was arrested only on 11.02.2026 and one Manigandan was granted anticipatory bail and one Ayyappan was granted bail on 17.02.2026 vide order passed in Crl. O.P. No.3784 of 2026.



5. I have given my anxious consideration to either side submissions and perused the materials available on record.

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6. Though the learned Government Advocate submits that incarceration of this petitioner is only for small period, while looking at the facts of the case, this Court is of the opinion that by this point of time, investigation might have been completed and therefore, further incarceration of the petitioner is not necessary and therefore, this Court is inclined to grant bail to the petitioner, subject to certain conditions:

7. 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 **Judicial Magistrate No.II, Tiruvannamalai** 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 not abscond either during investigation or trial;



[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] 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]:

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

05-03-2026

MJS

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.

To

1. The Judicial Magistrate No.II, Tiruvannamalai.
2. The Sub- Inspector of Police, Tiruvannamalai East Police Station, Tiruvannamalai District.
3. The Superintendent, Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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