

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 7576 of 2020

E.Ramesh

... Petitioner

Vs.

State rep. by
Deputy Superintendent of Police,
CBCID - OCU-1,
Chennai.
(Crime No. 2 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioners on bail pending investigation in Crime No.2 of 2020 on the file of the respondent police.

For Petitioner : Mr.K.R.Ramesh Kumar

For Respondent : Mr.M.Mohammed Riyaz,

Additional Public Prosecutor

O R D E R

The petitioner, who was arrested and remanded to judicial custody on 18.03.2020 for the offences punishable under sections 465, 468, 471 & 120(b) of IPC, in Crime No. 2 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the based on the allegation reported by the media in respect of the written examination held at Rameswaram Taluk in respect of the recruitment to the posts included in CCSE-II A (Group II A Services) which was held on 06.08.2017, a thorough analysis of the answer pattern of the 42 candidates who had secured the top positions in the rank list and who had written the examination at Rameswaram centre was done. Thereafter, present case was registered by the respondent Police.

3. The learned counsel for the petitioner submitted that the name of the petitioner is not found in the FIR, and the petitioner has never committed or involved in any offence as alleged by the prosecution. He further submitted that the petitioner was arrested in another case in Crime No.4 of 2020 registered by Deputy

Superintendent Police, CBCID, Metro Wing - II, CBCID, Chennai on 24.01.2020. As such, on 23.03.2020, the statutory period for filing of charge sheet was going to end. At that time, in order to retain the petitioner to continue him in judicial custody, his name has been falsely implicated in the present case. Hence, he sought for bail to the petitioner.

4. The learned Additional Public Prosecutor (Cr1.Side) submitted that the accused persons involved in committing the offence by fabricating documents, forged the signature, tampering the answer sheets and the petitioner also aided the prime accused in commission of crime. Thereby, they committed a serious offence against the society. He further submitted that the petitioner is ranked as A18, and as far as A3 is concerned, he is a contract driver. The accused persons, who were aware of the entire movement of the answer sheets, handed over the OMR sheets to the respective candidates, got filled the OMR sheets and restored the same in their respective places. He also submitted that the investigation is still pending and therefore, he vehemently opposed for grant of bail to the petitioner.

5. It is seen that the petitioner and the other accused persons are the accused in the scam of Group IV and Group II-A examination conducted by the TNPSC, and they fabricated the documents and forged the signature of Government officials and tampering the examination sheets. Thereby, they committed serious offence against the society and as such, this Court has dismissed the bail petitions of the co-accused on various occasions. Therefore, this Court is not inclined to grant bail to the petitioner and hence, the petition stands dismissed. However, the petitioner is at liberty to approach the Magistrate Court concerned under Section 167(2) of Cr.P.C., to obtain default bail.

-sd/-
14/05/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL SESSIONS JUDGE,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE DEPUTYSUPERINTENDENT OF POLICE,
CBCID OCU-I,
CHENNAI

CC to M/S A.NAGARAJAN Advocate on payment of necessary
charges

CRL OP.7576/2020

Date :14/05/2020

MK:13/07/2020