

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.7584 of 2020

S.Jayakumar

... Petitioner/ Accused

Vs

State rep.by

The Deputy Superintendent of Police,
CBCID Metro Wing-II, Egmore,
Chennai-600008.

(Crime No.4/2020)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the Petitioner/Accused on Bail in Crime Number No. 4 / 2020 on the file of the Deputy Superintendent of Police, CBCID Metro Wing-II, Egmore, Chennai.

For Petitioner : Mr.P.Paul Selvam

For Respondent : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

O R D E R

The petitioner, who was surrendered on 06.02.2020 before the Learned XXIII Metropolitan Magistrate, Saidapet, Chennai for the offence punishable under Sections 120-A, 120-B, 121 of I.P.C., read with Section 464, 466, 468, 470, 471, 481, 482, 484, 485, 487, 488 and 420, 465 of I.P.C., registered by the Respondent Police and the same was altered as 120-B, 420, 465, 468 and 471 of Indian Penal Code in Crime No. 4 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the allegation reported by the media in respect of the written examination held at Rameswaram and Keelakarai Taluks of Ramanathapuram District in respect of the recruitment to the post of CCSE-4(Group IV Service) which was held on 01.09.2019, a thorough analysis of the answer pattern of the 99 candidates, who had secured the top positions in the rank list and who had written the examination at Rameswaram and Keelakarai Centre, Rameswaram District, was done. Thereafter, present case was registered by the respondent police.

3. The learned counsel for the petitioner submitted that the petitioner has never committed or involved in any offence as alleged by the prosecution. He further submitted that the petitioner surrendered on 06.02.2020 before the XXIII Metropolitan Magistrate, Saidapet, Chennai. As such, 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 two other cases and interrogation completed in those cases. He is in jail from 06.02.2020. Hence, he sought for bail to the petitioner.

4. The learned Additional Public Prosecutor (CrI.side) submitted that the petitioner is ranked as A2. The accused persons involved in committing the offence by fabricating documents, forging the signature and tampering the answer sheets. The petitioner aided the prime accused in commission of crime. Thereby, they committed a serious offence against the society. He further submitted that 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 further submitted that four accused yet to be arrested and 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 TNPSC and they fabricated the documents, forged the signature of Government officials and tampered with the examination sheets. Thereby they committed serious offences 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,
CITY CIVIL COURT, CHENNAI.

2 THE SPECIAL COURT FOR CCB AND CBCID CASES,
METROPOLITAN MAGISTRATE COMPLEX,
EGMORE, CHENNAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

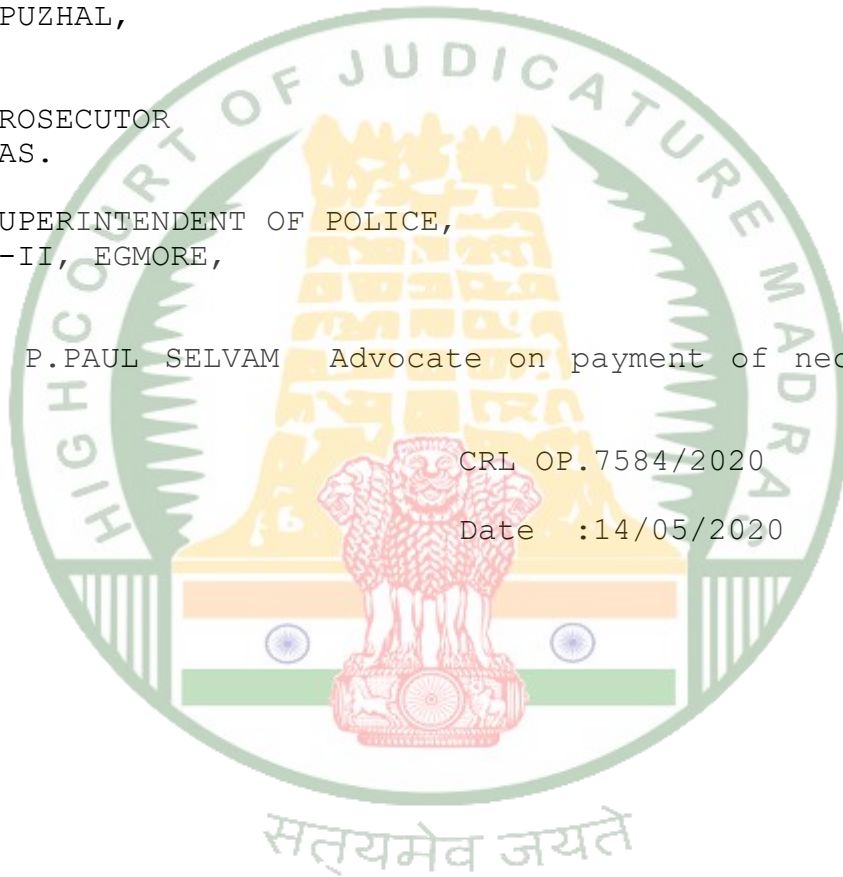
5 THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID METRO WING-II, EGMORE,
CHENNAI-600008.

CC to M/S P.PAUL SELVAM Advocate on payment of necessary
charges

CRL OP.7584/2020

Date :14/05/2020

MK:13/07/2020



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