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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM

THE HONOURABLE MR. JUSTICE S.KANNAMMAL

Crl.O.P.No.14545 of 2021

[Through Video conference]

N.Shobana

... Petitioner

Vs.

State rep. by
The Sub Inspector of Police,
Taluk Police Station,
Arakonam,
Ranipet District.
(Crime No.85 of 2021)

... Respondent

PRAYER: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge petitioner on bail in the event of her arrest in connection with Crime No.85 of 2021 on the file of the respondent police.

For Petitioner : Mr.D.N.Dhurgasha

For Respondent : Mr.V.J.Priyadarsana

Government Advocate

ORDER

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 463, 464 and 420 IPC in Crime No.85 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was appointed as a Secondary Grade Teacher in Ocheri Panchayat Union in an Elementary School and later she was promoted as Headmaster in the Panchayat Union Primary School, Minnal (East), Arakonam Block, Ranipet District. Thereafter, after verification of the mark sheet certificate it was found that it was tampered with marks. Hence, the complaint was registered.

3. The learned counsel appearing for the petitioner submitted that this is the second anticipatory bail petition before this Court and the earlier application for anticipatory bail was dismissed by this Court vide order dated 12.05.2021 in Crl.O.P.No.8726 of 2021. He further submitted that the petitioner is innocent and she has not



committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate appearing for the respondent submitted that the petitioner was tampering with the mark sheet certificate and obtained a Government Job and thereby, cheated the Government and hence, he would vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Heard the counsels and perused the copy of the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the copy of the order is made ready before the learned XV Metropolitan Magistrate, George Town, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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22/09/2021

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 XV METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI-01.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
TALUK POLICE STATION,
ARAKONAM, RANIPET DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S D.N.DHURGASHA Advocate on payment of necessary charges SR.NO.10469

CRL OP.14545/2021

Date :22/09/2021

CSK 27/09/2021