



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eleventh day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION Nos.4375 & 4377 of 2022

SR.GRACY FATIMA [PETITIONER / ACCUSED
IN CRL.O.P.No.4375/2022]

SR.MARY NIRMAL ROSE [PETITIONER / ACCUSED
IN CRL.O.P.No.4377/2022]

Vs

STATE REP BY [RESPONDENT
INSPECTOR OF POLICE, IN BOTH PETITIONS]
POLUR POLICE STATION,
TIRUVANNAMALAI DISTRICT
(CRIME NO.47 OF 2022)

For Petitioner : DR.F.R.XAVIER ARUL RAJ, Senior Counsel for
M/S.B.LOUIS SHARMILA Advocate
[IN BOTH PETITIONS]

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)
[IN BOTH PETITIONS]

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 406 & 420 of I.P.C and 72 of Information Technology Act, in Crime No.47 of 2022, seeks anticipatory bail.

2. It is a case of question paper leak in connivance with the school authorities. The investigation so far reveals that the office clerk of the petitioner school in connivance with the maths teacher has released the question paper ahead of the date of examination to enable the students to score high marks. Though, this Court has own reservation that this could not have happened with the blessings of the Management. However, to rule out, custodial interrogation is not required, participation and cooperation to the investigation will be



sufficient. Hence, anticipatory bail is granted on conditions that the petitioners who are correspondence and Principal of the school shall cooperate with the investigation without any deviation.

3. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kalasapakkam, on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- each (Rupees Fifty 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 and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
11/03/2022

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 JUDICIAL MAGISTRATE,
KALASAPAKKAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
POLUR POLICE STATION,
TIRUVANNAMALAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.B.LOUIS SHARMILA Advocate on payment of necessary
charges

CRL OP.4375/2022

Date :11/03/2022

JPA 22/03/2022