



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.9296 of 2022

Prasanth

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Polur Police Station,
Thiruvannamalai District.
(Crime No.47 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail, pending investigation in Crime No.47 of 2022 on the file of the Inspector of Police, Polur Police Station, Tiruvannamalai District.

For Petitioner : Mr.K.V.Muthuvisakan

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested on 05.03.2022 for the alleged offences under Sections 406, 420 of IPC and Section 72 of IT Act, in Crime No.47 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein is a Maths Teacher of Auxilium Matriculation Higher Secondary School and he was arrested on 05.03.2022 for the alleged leakage of question papers of X and XII standard Revision Examination. The question paper, which was leaked, was circulated in the social media through You Tube much before the date of examination. This petitioner, who was arrested on 05.03.2022 for the alleged offence under Sections 406 and 420 of IPC and 72 of I.T Act claims innocence. However, the investigation so far indicates that out of curiosity and to secure high pass percentage, the petitioner has leaked the question paper.



3. Considering the nature of the offence and the period of incarceration suffered by the petitioner herein and also taking account of the petitioner has to arrange for his defense, this Court is inclined to grant bail to this petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Polur, Tiruvannamalai District.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to report before the Investigating Officer as and when required for interrogation.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial 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 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)AIR SCW 5560];

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

-sd/-
22/04/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO.1, POLUR, TIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL JAIL, VELLORE.

4 THE INSPECTOR OF POLICE,
POLUR POLICE STATION,
TIRUVANNAMALAI DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.B.LOUIS SHARMILA Advocate on payment of necessary
charges SR.NO. 6020

CRL OP.9296/2022

Date :22/04/2022

RW 25/04/2022