



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Sixth day of June Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.11097 of 2022

T.GOWTHAMAN @ Osthin Raja

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
CBCID CRIME BRANCH (METRO),
EGMORE, CHENNAI 600 008.
CRIME NO.1 OF 2021

[RESPONDENT]

For Petitioner : M/S.V.BALU Advocate

For Respondent : M/S. A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

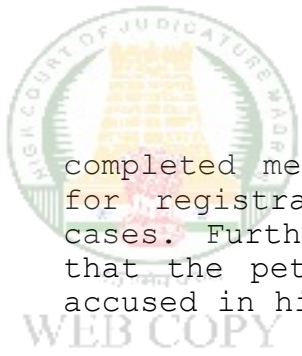
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 18.04.2022 for the offences punishable under Sections 465, 466, 468, 471, 474 & 484 of IPC in crime No.1 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and other accused persons fabricated the medical completion certificate as if the first accused completed M.B.B.S. in Raja Muthiah Medical College at Chidambaram and produced before the Medical Council of India for registration as a registered medical practitioner. Hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner never involved in crime as alleged by the prosecution. He would further submit that A1 was arrested and released on bail. As far as the petitioner is concerned he was arrested on 18.04.2022 and remanded to judicial custody and the investigation is almost completed. Hence, he seeks for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor filed counter and submitted that the petitioner involved in other three cases similar in nature and he is the key person fabricated the completion certificate as if the persons who have not joined in medical degree,



completed medical and produced before the Medical Council of India for registration. The petitioner is facing trial in other three cases. Further he also produced statement of accounts and revealed that the petitioner received a sum of Rs.1,48,000/- from the first accused in his wife's account.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to deposit a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) to the credit of Crime No.1 of 2021 on the file of respondent police and on such deposit, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the learned Metropolitan Magistrate Court for CBCID and on further conditions that:

[a] 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.

[b] the petitioner shall deposit a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) to the credit of Crime No.1 of 2021 on the file of the respondent police, before the concerned Magistrate.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. until further orders.

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

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

[g] 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 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].



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

-sd/-

06/06/2022

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 METROPOLITAN MAGISTRATE
COURT FOR CBCID, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE
CBCID CRIME BRANCH (METRO),
EGMORE, CHENNAI 600 008.

4 THE SUPERINTENDENT,
CENTRAL PRISON,
PUZHAL, CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.V.BALU Advocate on payment of necessary charges
Sr.8480

CRL OP.11097/2022

Date :06/06/2022

RVR 07/06/2022