



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11416 of 2022

P.K.SENTHIL KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE OF TAMIL NADU REP BY, [RESPONDENT]
THE INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION POLICE STATION,
SALEM.
(IN CRIME NO.05/AC/2022)

For Petitioner : M/S.J.RAMAKRISHNAN Advocate

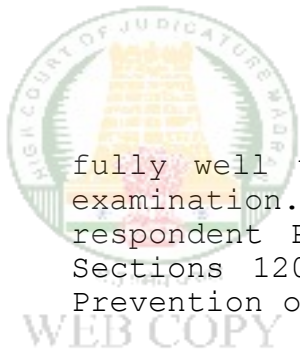
For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 120-B, 420, 468, 471 and 474 IPC and 7(a) of the Prevention of Corruption (Amendment) Act, 2018 in Crime No.05/AC of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/A1 is the Deputy Registrar and A2 is the Assistant Registrar in Periyar University. During the year 2018, examinations were conducted for M.Phil programme and the answer sheets of the candidates who wrote the examination were evaluated. After evaluation, the answer sheets were collected from the examiners along with the Foil Sheets in which marks were added to each of the candidates entered by the examiners. Thereafter, the Foil Sheets were handed over to the Controller of Examination. While that being so, the accused persons hatched a conspiracy with an intention of awarding pass marks to 18 candidates who actually secured fail marks in the examination by forging documents and then sent their statements of marks to the respective Colleges by obtaining undue advantage. The entry with regard to the marks, was made in the computer, totally to award pass marks, knowing



fully well that these 18 candidates secured fail marks only in the examination. Hence, on a complaint, FIR has been registered by the respondent Police in Crime No.05/AC of 2022 for the offences under Sections 120-B, 420, 468, 471 and 474 IPC and Section 7(a) of the Prevention of Corruption (Amendment) Act, 2018.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted as against the petitioner and hence he prays to grant anticipatory bail to the petitioner.

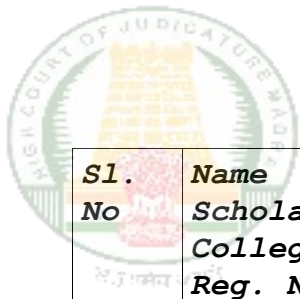
4.The learned Additional Public Prosecutor for the respondent Police filed an annexure showing results, which was attached to the First Information Report and it reveals that 18 M.Phil candidates were awarded pass marks by the petitioner and other accused persons and hence, he vehemently opposed to grant anticipatory bail to the petitioner. The said annexure showing the results, is extracted hereunder:

Sl. No	Name of the Scholar, College with Reg. No.	Dumny No.	Paper Code	Marks awarded in					Result	
				1 st Valuation	2 nd Valuation	3 rd Valuation	The result Gallery (internal + external)	The statement of marks Gallery	To be given as	Actually given as
1.	M.Muthukumar Arignar Anna College of Arts & Science, Krishnagiri P16CAC8003	5571	12CMPB T02	32	38	--	24+38=62	24+38=62	24+35=59 Fail	24+38=62 Pass
2.	R.Ashokan Selvamm Arts & Science College, Namakkal, P16CAK8027	1072	12CMPPM A02	03	08	--	25+39=64	25+38=63	25+6=31 Fail	25+38=63 Pass

Sl. No.	Name of the Scholar, College with Reg. No.	Dummy No.	Paper Code	Marks awarded in					Result	
				1 st Valuation	2 nd Valuation	3 rd Valuation	The result Gallery (internal + external)	The statement of marks Gallery	To be given as	Actually given as
3.	B.Kavipriya Selvamm Arts & Science College, Namakkal P16CAK8043	1130	12CMPC A02	14	08	--	25+39=64	25+38=63	25+11=36 Fail	25+38=63 Pass
4.	P.Sumithra Selvamm Arts & Science College, Namakkal P16CAF8010	4223	12PMPC H02	29	28	--	25+29=54	25+40=65	25+29=54 Fail	25+40=65 Pass
5.	T.Suguna Selvamm Arts & Science College, Namakkal P16CAF8033	4278	12PMPC H02	29	21	--	22+39=61	22+38=60	22+25=47 Fail	22+39=61 Pass
6.	A.Venkateshkumar Selvamm Arts & Science College, Namakkal P16CAE8013	2232	12PMPC S01	25	16	--	24+21=45	24+38=62	24+21=45 Fail	24+38=62 Pass
	A.Venkateshkumar Selvamm Arts & Science College, Namakkal P16CAE8013	2261	12PMPC S02	24	25	--	25+25=50	25+38=63	25+25=50 Fail	25+38=63 Pass

Sl. No	Name of the Scholar, College with Reg. No.	Dummy No.	Paper Code	Marks awarded in					Result	
				1 st Valuation	2 nd Valuation	3 rd Valuation	The result Gallery (internal + external)	The statement of marks Gallery	To be given as	Actually given as
7.	P.Aravindh Selvamm Arts & Science College, Namakkal P16CAE8013	1113	12PMPM 02	19	14	--	23+17=40	23+38=61	23+17=40 Fail	23+38=61 Pass
8.	J.Jagadeesan Vysya College, Salem P16CAK8111	0575	12PMPM A01	13	38	13	24+13=37	24+38=62	24+13=37 Fail	24+38=62 Pass
9.	R.N.Sudha Vysya College, Salem P16CAK8115	0395	12PMPM A01	09	26	--	23+18=41	23+38=61	23+18=41 Fail	23+38=61 Pass
	R.N.Sudha Vysya College, Salem P16CAK8115	0989	12PMPM A02	12	10	--	24+11=35		24+11=35 Fail	24+38=62 Pass
10.	K.S.Shanmugavaidu Vysya College, Salem P16CAK8118	0410	12PMPM A01	04	04	--	24+04=28	24+38=62	24+04=28 Fail	24+38=62 Pass

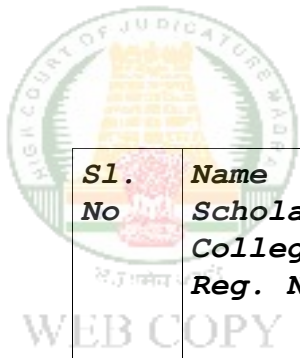
Sl. No.	Name of the Scholar, College with Reg. No.	Dumy No.	Paper Code	Marks awarded in					Result	
				1 st Valuation	2 nd Valuation	3 rd Valuation	The result Gallery (internal + external)	The statement of marks Gallery	To be given as	Actually given as
11.	K.Anugeetha Selvamm Arts & Science College, Namakkal 16CAK1215	0533	12CMPM A01	32	30	--	23+31=54	23+38=61	23+31=54 Fail	23+38=61 Pass
	K.Anugeetha Selvamm Arts & Science College, Namakkal 16CAK1215	1198	12CMPM A02	10	06	--	24+08=32	24+38=62	24+08=32 Fail	24+38=62 Pass
12.	K.Balambigai Selvamm Arts & Science College, Namakkal 17CAK1196	0170	17CMPM A01	08	03	--	25+06=31	25+38=63	25+06=31 Fail	25+38=63 Pass
	K.Balambigai Selvamm Arts & Science College, Namakkal 17CAK1196	0589	17CMPM A02	04	17	--	25+11=36	25+38=63	25+11=36 Fail	25+38=63 Pass



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Sl. No.	Name of the Scholar, College with Reg. No.	Dummy No.	Paper Code	Marks awarded in					Result	
				1 st Valuation	2 nd Valuation	3 rd Valuation	The result Gallery (internal + external)	The statement of marks Gallery	To be given as	Actually given as
13.	A.Arivarasan Arignar Anna College of Arts & Science, Krishnagiri P16CAQ8076	4870	12CMPP H01	25	17	--	25+21=46	25+38=63	25+21=46 Fail	25+38=63 Pass
	A.Arivarasan Arignar Anna College of Arts & Science, Krishnagiri P16CAQ8076	4967	12CMPP H02	42	28	27	25+27=52	25+38=63	25+27=52 Fail	25+38=63 Pass
14.	V.Balachandiran Arignar Anna College of Arts & Science, Krishnagiri P16CAD8036	2931	12PMPC M02	27	21	--	23+24=47	23+38=61	23+24=47 Fail	23+38=61 Pass
	V.Balachandiran Arignar Anna College of Arts & Science, P16CAD8036	2887	12PMPC M01	14	11	--	23+13=36	23+38=61	23+13=36 Fail	23+38=61 Pass

Sl. No.	Name of the Scholar, College with Reg. No.	Dumy No.	Paper Code	Marks awarded in					Result	
				1 st Valuation	2 nd Valuation	3 rd Valuation	The result Gallery (internal + external)	The statement of marks Gallery	To be given as	Actually given as
15.	M.Balaraju Arignar Anna College of Arts & Science, Krishnagiri P16CAS8121	1495	12PMPE N02	30	50	22	23+22=45	23+38=61	23+22=45 Fail	23+38=61 Pass
16.	R.Kalaiyarasi Arignar Anna College of Arts & Science, Krishnagiri P16CAK1311	0997	12CMPP A02	16	20	--	25+18=43	25+38=63	25+18=43 Fail	25+38=63 Pass
	R.Kalaiyarasi Arignar Anna College of Arts & Science, Krishnagiri P16CAK1311	0402	12CMPP A01	15	22	--	25+19=44	25+38=63	25+19=44 Fail	25+38=63 Pass
17.	J.Palani Government Arts College, Dharmapuri 15CAF1104	4216	12CMPC H02	09	01	--	25+05=30	25+38=60	25+05=30 Fail	25+38=60 Pass
18.	P.Thirukumaran Government Arts College, Dharmapuri 15CAF1105	4112	12CMPC H01	24	16	--	25+20=45	25+40=65	25+20=45 Fail	25+40=65 Pass



Sl. No	Name of the Scholar, College with Reg. No.	Dummy No.	Paper Code	Marks awarded in					Result	
				1 st Valuation	2 nd Valuation	3 rd Valuation	The result Gallery (internal + external)	The statement of marks Gallery	To be given as	Actually given as
	P.Thirukumaran Government Arts College, Dharmapuri 15CAF1105	4168	12CMPC H02	18	05	--	25+12=37	25+38=63	25+12=37 Fail	25+38=63 Pass

5. Considering the facts and circumstances of the case and also taking note of the fact that the petitioner and other accused had committed very heinous offence by awarding pass marks to the M.Phil candidates, those who were originally failed by the examiners, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
18/05/2022

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 INSPECTOR OF POLICE,
VIGILANCE AND ANTI CORRUPTION POLICE STATION,
SALEM.



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.J.RAMAKRISHNAN Advocate on payment of necessary
charges SR.No.7236

CRL OP.11416/2022

Date :18/05/2022

CSK 25/05/2022