



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13096 of 2022

S.DINESH

[ PETITIONER / ACCUSED ]

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
CENTRAL CRIME BRANCH,  
SALEM CITY,  
SALEM DISTRICT-636 006.  
CRIME NO.11/2018.

[ RESPONDENT ]

For Petitioner : M/S.N.VIJAYA BASKER, 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 offences punishable under Sections 420, 465, 468 & 471 of IPC in Crime No.11 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the *de facto* complainant lodged a complaint with the respondent Police that one of the lecturer Dr.M.Karthikeyan, joined as Assistant Professor, (Computer Science) in her college was newly appointed and selected by the Teacher's Recruitment Board, Tamil Nadu and after his appointment, his certificates were sent for verification with the concerned University and Schools. On verification it was found that Dr.M.Karthikeyan's Ph.D Certificate was not genuine and it was forged by him, which was enlightened by the letter issued by the Lalith Narayana Mithila University, Bihar. Hence, the complaint.



3. There are two accused in this case, in which the petitioner herein is arrayed as A2. He only prepared the forged degree certificate to join as Assistant Professor by the A1. However, A1 was granted anticipatory bail in CrI.O.P.No.11420 of 2018. That apart, though the crime is of the year 2018, even till today the petitioner was not secured by the respondent Police. Therefore, this Court is of the view that custodial interrogation of the petitioner is not required.

4. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court No.3, Salem, 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:

[a] the petitioner and 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 report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

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

[d] the petitioner 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 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/-

07/06/2022

WEB COPY

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,  
NO.3, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE  
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE  
CENTRAL CRIME BRANCH,  
SALEM CITY,  
SALEM DISTRICT-636 006.

+1 CC to M/S.LAW VISION Advocate on payment of necessary charges SR.NO.8583

CRL OP.13096/2022

Date :07/06/2022

TA-13/06/2022